

Application for Federal Assistance SF-424

Version 02

* 1. Type of Submission:

- ☐ Preapplication
☒ Application
☐ Changed/Corrected Application

* 2. Type of Application:

- ☒ New
☐ Continuation
☐ Revision

* If Revision, select appropriate letter(s):

* Other (Specify)

* 3. Date Received:

Completed by Grants.gov upon submission.

4. Applicant Identifier:

5a. Federal Entity Identifier:

* 5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name: City of Sandusky, Ohio

* b. Employer/Taxpayer Identification Number (EIN/TIN):

34-6401311

* c. Organizational DUNS:

076919786

d. Address:

* Street1: 222 Meigs Street

Street2:

* City: Sandusky

County:

Erie

* State: Ohio

Province:

* Country: USA

* Zip / Postal Code: 44870

e. Organizational Unit:

Department Name:

Department of Development

Division Name:

Economic Development

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: Mr.

* First Name: Scott

Middle Name: James

* Last Name: Schell

Suffix:

Title: Economic Development Specialist

Organizational Affiliation:

City of Sandusky

* Telephone Number: 419.627.5827

Fax Number: 419.627.5825

* Email: sschell@ci.sandusky.oh.us

EPA Region 5 Records Ctr.



364676

ENVIRONMENTAL
PROTECTION AGENCY
REGION 5
AUG 3 3 PM '00

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Application for Federal Assistance SF-424

Version 02

9. Type of Applicant 1: Select Applicant Type:

City Government (C)

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

*** Other (specify):**

*** 10. Name of Federal Agency:**

USEPA

11. Catalog of Federal Domestic Assistance Number:

66.818

CFDA Title:

Assessment Grants - Hazardous Substances & Petroleum

*** 12. Funding Opportunity Number:**

*** Title:**

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

City of Sandusky, Ohio

*** 15. Descriptive Title of Applicant's Project:**

Hazardous Substance Assessment & Petroleum Assessment - Citywide

Attach supporting documents as specified in agency instructions.

[Add Attachments](#) [Delete Attachments](#) [View Attachments](#)

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16. Congressional Districts Of:

* a. Applicant **OH-009**

* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

* a. Start Date: **10/01/2007**

* b. End Date: **9/30/2010**

18. Estimated Funding (\$):

* a. Federal	\$400,000.00
* b. Applicant	
* c. State	
* d. Local	
* e. Other	
* f. Program Income	
* g. TOTAL	\$400,000.00

* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?

- ☐ a. This application was made available to the State under the Executive Order 12372 Process for review on
- ☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- ☒ c. Program is not covered by E.O. 12372.

* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)

☐ Yes ☒ No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative: *James R. Miears*

Prefix: **Mr.** * First Name: **James**
Middle Name: **L.**
* Last Name: **Miears**
Suffix:

* Title: **Interim City Manager**

* Telephone Number: **419.627.5844** Fax Number: **419.627.5825**

* Email: **dmiears@ci.sandusky.oh.us**

* Signature of Authorized Representative: * Date Signed:

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*** Applicant Federal Debt Delinquency Explanation**

The following field should contain an explanation if the Applicant organization is delinquent on any Federal Debt. Maximum number of characters that can be entered is 4,000. Try and avoid extra spaces and carriage returns to maximize the availability of space.

INSTRUCTIONS FOR THE SF-424

Public reporting burden for this collection of information is estimated to average 60 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0043), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

This is a standard form (including the continuation sheet) required for use as a cover sheet for submission of preapplications and applications and related information under discretionary programs. Some of the items are required and some are optional at the discretion of the applicant or the Federal agency (agency). Required items are identified with an asterisk on the form and are specified in the instructions below. In addition to the instructions provided below, applicants must consult agency instructions to determine specific requirements.

Item	Entry:	Item	Entry:
1.	Type of Submission: (Required): Select one type of submission in accordance with agency instructions. <ul style="list-style-type: none"> • Preapplication • Application • Changed/Corrected Application – If requested by the agency, check if this submission is to change or correct a previously submitted application. Unless requested by the agency, applicants may not use this to submit changes after the closing date. 	10.	Name Of Federal Agency: (Required) Enter the name of the Federal agency from which assistance is being requested with this application.
		11.	Catalog Of Federal Domestic Assistance Number/Title: Enter the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested, as found in the program announcement, if applicable.
2.	Type of Application: (Required) Select one type of application in accordance with agency instructions. <ul style="list-style-type: none"> • New – An application that is being submitted to an agency for the first time. • Continuation - An extension for an additional funding/budget period for a project with a projected completion date. This can include renewals. • Revision - Any change in the Federal Government's financial obligation or contingent liability from an existing obligation. If a revision, enter the appropriate letter(s). More than one may be selected. If "Other" is selected, please specify in text box provided. <ul style="list-style-type: none"> A. Increase Award B. Decrease Award C. Increase Duration D. Decrease Duration E. Other (specify) 	12.	Funding Opportunity Number/Title: (Required) Enter the Funding Opportunity Number and title of the opportunity under which assistance is requested, as found in the program announcement.
		13.	Competition Identification Number/Title: Enter the Competition Identification Number and title of the competition under which assistance is requested, if applicable.
		14.	Areas Affected By Project: List the areas or entities using the categories (e.g., cities, counties, states, etc.) specified in agency instructions. Use the continuation sheet to enter additional areas, if needed.
3.	Date Received: Leave this field blank. This date will be assigned by the Federal agency.	15.	Descriptive Title of Applicant's Project: (Required) Enter a brief descriptive title of the project. If appropriate, attach a map showing project location (e.g., construction or real property projects). For preapplications, attach a summary description of the project.
4.	Applicant Identifier: Enter the entity identifier assigned by the Federal agency, if any, or applicant's control number, if applicable.		
5a.	Federal Entity Identifier: Enter the number assigned to your organization by the Federal Agency, if any.	16.	Congressional Districts Of: (Required) 16a. Enter the applicant's Congressional District, and 16b. Enter all District(s) affected by the program or project. Enter in the format: 2 characters State Abbreviation – 3 characters District Number, e.g., CA-005 for California 5 th district, CA-012 for California 12 th district, NC-103 for North Carolina's 103 rd district. <ul style="list-style-type: none"> • If all congressional districts in a state are affected, enter "all" for the district number, e.g., MD-all for all congressional districts in Maryland. • If nationwide, i.e. all districts within all states are affected, enter US-all. • If the program/project is outside the US, enter 00-000.
5b.	Federal Award Identifier: For new applications leave blank. For a continuation or revision to an existing award, enter the previously assigned Federal award identifier number. If a changed/corrected application, enter the Federal Identifier in accordance with agency instructions.		
6.	Date Received by State: Leave this field blank. This date will be assigned by the State, if applicable.		
7.	State Application Identifier: Leave this field blank. This identifier will be assigned by the State, if applicable.		
8.	Applicant Information: Enter the following in accordance with agency instructions: <ul style="list-style-type: none"> a. Legal Name: (Required): Enter the legal name of applicant that will undertake the assistance activity. This is the name that the organization has registered with the Central Contractor Registry. Information on registering with CCR may be obtained by visiting the Grants.gov website. b. Employer/Taxpayer Number (EIN/TIN): (Required): Enter the Employer or Taxpayer Identification Number (EIN or TIN) as assigned by the Internal Revenue Service. If your organization is not in the US, enter 44-4444444. c. Organizational DUNS: (Required) Enter the organization's DUNS or DUNS+4 number received from Dun and Bradstreet. Information on obtaining a DUNS number may be obtained by visiting the Grants.gov website. d. Address: Enter the complete address as follows: Street address (Line 1 required), City (Required), County, State (Required, if country is US), Province, Country (Required), Zip/Postal Code (Required, if country is US). e. Organizational Unit: Enter the name of the primary organizational unit (and department or division, if applicable) that will undertake the 	17.	Proposed Project Start and End Dates: (Required) Enter the proposed start date and end date of the project.
		18.	Estimated Funding: (Required) Enter the amount requested or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines, as applicable. If the action will result in a dollar change to an existing award, indicate only the amount of the change. For decreases, enclose the amounts in parentheses.
		19.	Is Application Subject to Review by State Under Executive Order 12372 Process? Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the

	assistance activity, if applicable. f. Name and contact information of person to be contacted on matters involving this application: Enter the name (First and last name required), organizational affiliation (if affiliated with an organization other than the applicant organization), telephone number (Required), fax number, and email address (Required) of the person to contact on matters related to this application.		State intergovernmental review process. Select the appropriate box. If "a." is selected, enter the date the application was submitted to the State		
			20. Is the Applicant Delinquent on any Federal Debt? (Required) Select the appropriate box. This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes. If yes, include an explanation on the continuation sheet.		
9.	Type of Applicant: (Required) Select up to three applicant type(s) in accordance with agency instructions. <table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top; width: 50%;"> A. State Government B. County Government C. City or Township Government D. Special District Government E. Regional Organization F. U.S. Territory or Possession G. Independent School District H. Public/State Controlled Institution of Higher Education I. Indian/Native American Tribal Government (Federally Recognized) J. Indian/Native American Tribal Government (Other than Federally Recognized) K. Indian/Native American Tribally Designated Organization L. Public/Indian Housing Authority </td> <td style="vertical-align: top; width: 50%;"> M. Nonprofit with 501C3 IRS Status (Other than Institution of Higher Education) N. Nonprofit without 501C3 IRS Status (Other than Institution of Higher Education) O. Private Institution of Higher Education P. Individual Q. For-Profit Organization (Other than Small Business) R. Small Business S. Hispanic-serving Institution T. Historically Black Colleges and Universities (HBCUs) U. Tribally Controlled Colleges and Universities (TCCUs) V. Alaska Native and Native Hawaiian Serving Institutions W. Non-domestic (non-US) Entity X. Other (specify) </td> </tr> </table>		A. State Government B. County Government C. City or Township Government D. Special District Government E. Regional Organization F. U.S. Territory or Possession G. Independent School District H. Public/State Controlled Institution of Higher Education I. Indian/Native American Tribal Government (Federally Recognized) J. Indian/Native American Tribal Government (Other than Federally Recognized) K. Indian/Native American Tribally Designated Organization L. Public/Indian Housing Authority	M. Nonprofit with 501C3 IRS Status (Other than Institution of Higher Education) N. Nonprofit without 501C3 IRS Status (Other than Institution of Higher Education) O. Private Institution of Higher Education P. Individual Q. For-Profit Organization (Other than Small Business) R. Small Business S. Hispanic-serving Institution T. Historically Black Colleges and Universities (HBCUs) U. Tribally Controlled Colleges and Universities (TCCUs) V. Alaska Native and Native Hawaiian Serving Institutions W. Non-domestic (non-US) Entity X. Other (specify)	21. Authorized Representative: (Required) To be signed and dated by the authorized representative of the applicant organization. Enter the name (First and last name required) title (Required), telephone number (Required), fax number, and email address (Required) of the person authorized to sign for the applicant. A copy of the governing body's authorization for you to sign this application as the official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.)
A. State Government B. County Government C. City or Township Government D. Special District Government E. Regional Organization F. U.S. Territory or Possession G. Independent School District H. Public/State Controlled Institution of Higher Education I. Indian/Native American Tribal Government (Federally Recognized) J. Indian/Native American Tribal Government (Other than Federally Recognized) K. Indian/Native American Tribally Designated Organization L. Public/Indian Housing Authority	M. Nonprofit with 501C3 IRS Status (Other than Institution of Higher Education) N. Nonprofit without 501C3 IRS Status (Other than Institution of Higher Education) O. Private Institution of Higher Education P. Individual Q. For-Profit Organization (Other than Small Business) R. Small Business S. Hispanic-serving Institution T. Historically Black Colleges and Universities (HBCUs) U. Tribally Controlled Colleges and Universities (TCCUs) V. Alaska Native and Native Hawaiian Serving Institutions W. Non-domestic (non-US) Entity X. Other (specify)				

BUDGET INFORMATION - Non-Construction Programs**SECTION A - BUDGET SUMMARY**

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. Brownfield Assessment	66.818	\$	\$	\$400,000	\$	\$ 0.00
2.						0.00
3.						0.00
4.						0.00
5. Totals		\$ 0.00	\$ 0.00	\$400,000	\$ 0.00	\$400,000

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1) Hazardous Waste	(2) Petroleum	(3)	(4)	
a. Personnel					
b. Fringe Benefits					0.00
c. Travel	\$2,000	\$2,000			\$4,000
d. Equipment	\$2,000	\$2,000			\$4,000
e. Supplies	\$2,000	\$2,000			\$4,000
f. Contractual	\$194,000	\$194,000			\$388,000
g. Construction					0.00
h. Other					0.00
i. Total Direct Charges (sum of 6a-6h)	\$200,000	\$200,000	0.00	0.00	\$400,000
j. Indirect Charges					0.00
k. TOTALS (sum of 6i and 6j)	\$200,000	\$200,000	\$ 0.00	\$ 0.00	\$400,000

7. Program Income	\$	\$	\$	\$	\$ 0.00
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Standard Form 424A (Rev. 7-97)

Prescribed by OMB Circular A-102

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SECTION C - NON-FEDERAL RESOURCES						
(a) Grant Program		(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS	
8.					\$ 0.00	
9.					\$ 0.00	
10.					\$ 0.00	
11.					\$ 0.00	
12. Total (SUM OF LINES 8-11)					\$ 0.00	
SECTION D - FORECASTED CASH NEEDS						
13. Federal		Total for 1 st Year	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter
		\$135,000	\$33,750	\$33,750	\$33,750	\$33,750
14. Non-Federal		0.00				
15. TOTAL (sum of lines 13 and 14)		\$135,000	\$33,750	\$33,750	\$33,750	\$33,750
SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT						
(a) Grant Program		FUTURE FUNDING PERIODS (years)				
		(b) First	(c) Second	(d) Third	(e) Fourth	
16. Environmental Assessments		(first year above)	\$135,000	\$130,000	\$	
17.						
18.						
19.						
20. TOTAL (sum of lines 16-19)		\$ 0.00	\$135,000	\$ 130,000	\$ 0.00	
SECTION F - OTHER BUDGET INFORMATION						
21. Direct Charges:			22. Indirect Charges:			
23. Remarks:						

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ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application. 2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives. 3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain. 4. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain. 5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F). 6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), which prohibits discrimination on the | <ol style="list-style-type: none"> basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application. 7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases. 8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds. |
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Prescribed by OMB Circular A-102

<p>9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. 276a to 276a-7), the Copeland Act (40 U.S.C. 276c and 18 U.S.C. 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-333), regarding labor standards for federally-assisted construction subagreement.</p> <p>10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.</p> <p>11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in flood plains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).</p>	<p>12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. 1271 et seq.) Related to protecting components or potential components of the national wild and scenic rivers system.</p> <p>13. Will assist the awarding agency in assuring compliance will Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).</p> <p>14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.</p> <p>15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) Pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.</p> <p>16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4801 et seq.) Which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.</p> <p>17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."</p> <p>18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.</p>
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<p>SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL</p> <p><i>James L. Phelan</i></p>	<p>TITLE</p> <p><i>Interim City Manager</i></p>
<p>APPLICANT ORGANIZATION</p> <p><i>CITY OF SANDUSKY, OHIO</i></p>	<p>DATE SUBMITTED</p> <p><i>7/6/07</i></p>

CERTIFICATION REGARDING LOBBYING

CERTIFICATION FOR CONTRACTS, GRANTS, LOANS, AND COOPERATIVE AGREEMENTS

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, ADisclosure Form to Report Lobbying, @ in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-contracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352 , title 31 U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

James L. Miears, Interim City Manager

Typed Name & Title of Authorized Representative



Signature of Authorized Representative

7/6/07

Date

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure.)

Approved by OMB
0348-0046

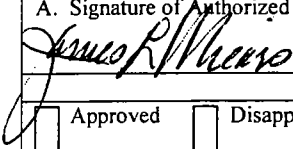
1. Type of Federal Action: <input checked="" type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance		2. Status of Federal Action: <input checked="" type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award		3. Report Type: <input checked="" type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____	
4. Name and Address of Reporting Entity: <input checked="" type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: City of Sandusky, Ohio 222 Meigs Street Sandusky, OH 44870 Congressional District, if known: OH-009			5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: Congressional District, if known:		
6. Federal Department/Agency: USEPA			7. Federal Program Name/Description: Assessment Grants CFDA Number, if applicable: 66.818		
8. Federal Action Number, if known:			9. Award Amount, if known: \$ 400,000.00		
10. a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI): No Lobbying Registrant			b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI): No Lobbying Services Performed		
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.			Signature: <u>James L. Miears</u> Print Name: <u>James L. Miears</u> Title: <u>Interim City Manager</u> Telephone No.: <u>419.627.5844</u> Date: <u>7/6/01</u>		
Federal Use Only:			Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)		



Washington, DC 20460
Preaward Compliance Review Report for
All Applicants Requesting Federal Financial Assistance

FORM Approved
OMB No. 2030-0020
Expires 12-31-05

Note: Read instructions before completing form.

I. A. Applicant (Name, City, State) City of Sandusky, Ohio	B. Recipient (Name, City, State) (Same)	C. EPA Project No.
II. Brief description of proposed project, program or activity. Assessment Grants for Brownfields Contaminated with Hazardous Substances and Petroleum - Citywide		
III. Are any civil rights lawsuits or complaints pending against applicant and/or recipient? If yes, list those complaints and the disposition of each complaint.		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
IV. Have any civil rights compliance reviews of the applicant and/or recipient been conducted by any Federal agency during the two years prior to this application for activities which would receive EPA assistance? If yes, list those compliance reviews and status of each review.		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
V. Is any other Federal financial assistance being applied for or is any other Federal financial assistance being applied to any portion of this project, program or activity? If yes, list the other Federal Agency(s), describe the associated work and the dollar amount of assistance.		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
VI. If entire community under the applicant's jurisdiction is not served under the existing facilities/services, or will not be served under the proposed plan, give reasons why. Grants to be used for assessments Citywide.		
VII. Population Characteristics		Number of People
1. A. Population of Entire Service Area		27,844
B. Minority Population of Entire Service Area		7,099
2. A. Population Currently Being Served		27,844
B. Minority Population Currently Being Served		7,099
3. A. Population to be Served by Project, Program or Activity		27,844
B. Minority Population to be Served by Project, Program or Activity		7,099
4. A. Population to Remain Without Service		0
B. Minority Population to Remain Without Service		0
VII. Will all new facilities or alterations to existing facilities financed by these funds be designed and constructed to be readily accessible to and usable by handicapped persons? If no, explain how a regulatory exception (40 CFR 7.70) applies.		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
IX. Give the schedule for future projects, programs or activities (or of future plans), by which services will be provided to all beneficiaries within applicant's jurisdiction. If there is no schedule, explain why. Schedule is ongoing and is outlined in attached Work Plan		
X. I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		
A. Signature of Authorized Official 	B. Title of Authorized Official Interim City Manager	C. Date 7/6/07
For the U.S. Environmental Protection Agency		
<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved	Authorized EPA Official	Date

City of Sandusky
Preaward Compliance Review Report for All Applicants
Requesting Federal Financial Assistance
Attachment for III

Complaints

1. Jane Doe c/o Ritzler, Coughlin & Swansinger LTD v. City of Sandusky, et. al., case no. 3:06-CV-02127. Filed in September, 2006, in United States District Court for the Northern District of Ohio. Still pending.

Instructions for EPA FORM 4700-4 (Rev. 1/90)

General

Recipients of Federal financial assistance from the U.S. Environmental Protection Agency must comply with the following statutes.

Title VI of the Civil Rights Acts of 1964 provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. The Act goes on to explain that the title shall not be construed to authorize action with respect to any employment practice of any employer, employment agency, or labor organization (except where the primary objective of the Federal financial assistance is to provide employment).

Section 13 of the 1972 Amendments to the Federal Water Pollution Control Act provides that no person in the United States shall on the ground of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under the Federal Water Pollution Control Act, as amended. Employment discrimination on the basis of sex is prohibited in all such programs or activities.

Section 504 of The Rehabilitation Act of 1973 provides that no otherwise qualified handicapped individual shall solely by reason of handicap be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Employment discrimination on the basis of handicap is prohibited in all such programs or activities.

The Age Discrimination Act of 1975 provides that no person on the basis of age shall be excluded from participation under any program or activity receiving Federal financial assistance. Employment discrimination is not covered. Age discrimination in employment is prohibited by the Age Discrimination in Employment Act administered by the Equal Employment Opportunity Commission.

Title IX of the Education Amendments of 1972 provides that no person on the basis of sex shall be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance. Employment discrimination on the basis of sex is prohibited in all such education programs or activities. Note: an education program or activity is not limited to only those conducted by a formal institution.

The information on this form is required to enable the U.S. Environmental Protection Agency to determine whether applicants and prospective recipients are developing projects, programs and activities on a nondiscriminatory basis as required by the above statutes.

Submit this form with the original and

ITEMS

- IA. "Applicant" means any entity that files an application or unsolicited proposal or otherwise requests EPA assistance.
- IB. "Recipient" means any entity, other than applicant, which will actually receive EPA assistance.
- IC. Self-explanatory.
- II. Self-explanatory.
- III. "Civil rights lawsuits" means any lawsuit or complaint alleging discrimination on the basis of race, color, national origin, sex, age, or handicap pending against the applicant and/or entity, which actually benefits from the grant. For example, if a city is the named applicant but the grant will actually benefit the Department of Sewage, civil rights lawsuits involving both the city and the Department of Sewage should be listed.
- IV. "Civil rights compliance review" means any review assessing the applicant and/or recipient's compliance with laws prohibiting discrimination on the basis of race, color, national origin, sex, age, or handicap. If any part of the review covered the entity, which will actually benefit from the grant, it should be listed.
- V. Self-explanatory.
- VI. The word "community" refers to the area under the applicant and/or recipient's jurisdiction. The "community" might be a university or laboratory campus, or a community within a large city. If there is significant disparity between minority and nonminority populations to receive service, not otherwise satisfactorily explained, the Regional office may require a map, which indicates the minority and nonminority population served by this project, program or activity.
- VII. This information is required so that reviewers may determine if a disparity in the proposed provision of services will exist in the event the application is approved for funding. Give population of recipient's jurisdiction, broken out by categories as specified.
- In the event the applicant cannot provide the requested information because the funds will be distributed over a wide demographic area, which is yet to be determined, an explanation may be provided on a separate sheet. For example, a State applying for a capitalization grant under the State Revolving Fund program may not know which cities and counties will apply for, and receive, SRF loans.
- III. Self-explanatory.
- IX. "Jurisdiction" means the geographical area over which applicant has the authority to provide service.

required copies of applications, requests for extensions, requests for increase of funds, etc. Updates of information are all that are required after the initial application submission.

If any item is not relevant to the project for which assistance is requested, write "NA" for "Not Applicable."

In the event applicant is uncertain about how to answer certain questions, EPA program officials should be contacted for clarification.

X. Self-explanatory.

"Burden Disclosure Statement"

EPA estimates public reporting burden for the preparation of this form to average 30 minutes per response. This estimate includes the time for reviewing instructions, gathering and maintaining the data needed and completing and reviewing the form. Send comments regarding the burden estimate, including suggestions for reducing this burden, to Chief, Information Policy Branch, PM-223, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503.



KEY CONTACTS FORM

Authorized Representative: *Original awards and amendments will be sent to this individual for review and acceptance, unless otherwise indicated.*

Name: Scott Schell
Title: Economic Development Specialist
Complete Address: 222 Meigs Street Sandusky, OH 44870
Phone Number: 419.627.5827

Payee: *Individual authorized to accept payments.*

Name: Edward Widman
Title: Finance Director
Mail Address: 222 Meigs Street Sandusky, OH 44870
Phone Number: 419.627.5888

Administrative Contact: *Individual from Sponsored Program Office to contact concerning administrative matters (i.e., indirect cost rate computation, rebudgeting requests etc.)*

Name: Scott Schell
Title: Economic Development Specialist
Mailing Address: 222 Meigs Street Sandusky, OH 44870
Phone Number: 419.627.5827
FAX Number: 419.627.5825
E-Mail Address: sschell@ci.sandusky.oh.us

Principal Investigator: *Individual responsible for the technical completion of the proposed work.*

Name: Scott Schell
Title: Economic Development Specialist
Mailing Address: 222 Meigs Street Sandusky, OH 44870
Phone Number: 419.627.5827
FAX Number: 419.627.5825
E-Mail Address: sschell@ci.sandusky.oh.us
Web URL: www.ci.sandsuky.oh.us

Biographical Sketch

Scott Schell Economic Development Specialist

Scott Schell will be the main contact for the EPA Hazardous Substance and Petroleum Assessment grants. Scott has an undergraduate degree in Psychology and has undertaken coursework toward a Masters in Public Administration. He has eleven years experience in City and County municipal government in Colorado Springs, Colorado. He joined the City of Sandusky staff in 2006 as Economic Development Specialist and has also been designated as the Brownfield Coordinator. During his time with the City of Sandusky he has worked with Clean Ohio Assistance, Clean Ohio Revitalization Fund, and US EPA Assessment Grant monies in the areas of grant writing and administration after the awards were made.



Memorandum

CITY COMMISSIONERS

DANIEL J. KAMAN, President
DANNIE K. EDMON, Vice President
BRIAN C. CRANDALL
BRETT L. FUQUA, SR.
DENNIS E. MURRAY, JR.
CRAIG H. STAHL
DAVID L. WADDINGTON

MICHAEL J. WILL, City Manager
DONALD C. ICSMAN, Law Director
EDWARD A. WIDMAN, Finance Director
B. JOYCE BROWN, Commission Clerk

222 MEIGS STREET
SANDUSKY, OH 44870
Phone: 419.627.5844
FAX: 419.627.5825

www.ci.sandusky.oh.us

Date: August 31, 2007
To: Meonii Bristol, Ohio Project Officer, U.S. EPA
Copy: Karla Auker, U.S. EPA
From: Scott Schell, City of Sandusky, Ohio
(419) 627-5827 (direct dial)
sschell@ci.sandusky.oh.us (email)
Re: Comments on U.S. EPA Grant Workplan/Cooperative Agreement

Meonii,
Thank you for your email dated August 24. Below I have included your comments from the email and our responses. Please let me know if you need additional details or information.

1. **Comment 1** - Budget narrative: I did not see a detailed narrative explaining the recipient's budget. This should be submitted to justify the requested figures.

A detailed narrative is provided below - this is identical for both the petroleum and hazardous substances budgets.

TASK 1: Engage an Environmental Consultant

The City has systems in place to hire required expertise necessary to implement U.S. EPA funding, and they have available economic development funds to support the acquisition of this expertise. The City will issue and advertise a Request for Qualifications (RFQ) from environmental consultants, evaluate the RFQ's received and select one prime and one secondary environmental consultant to perform the work. The City will contract directly with the environmental consultant. The City will select one consultant to perform all of the work under the contractual category to be completed under the grant.

All work will be completed under the direction of an Ohio Voluntary Action Program (VAP) Certified Professional and will conform to the standards set forth under the Ohio Voluntary Action Program. The assessment of sites with underground storage tanks present will be conducted using the American Society of Testing and Materials (ASTM) industry accepted protocols and will comply with the regulatory standards of the State of Ohio Department of Commerce, Division of the State Fire Marshall, Bureau of Underground Storage Tank Regulation (BUSTR). All sites selected by the City for assessment under the grant program will be submitted to BUSTR for review and approval before proceeding with the assessment work. As part of this process, an environmental attorney will be selected to prepare site access agreements, review potential liabilities, and other required legal services pursuant to the grant.

TASK 2: Inventory and Prioritize Sites

The city will select and prioritize sites based on 5 selection criteria that were discussed during the City's Master Plan process, including: 1) sites that qualify for funding; 2) degree and type of contamination; 3) ease of obtaining site control and possible ownership; 4) sites that preserve, secure and enhance existing businesses (i.e. do not force relocation); and 5) public support. The City will work with its existing Brownfield Urban Revitalization Committee, an advisory committee used in the past to assist in the selection of sites consistent with the City Master Plan.

TASK 3: Prepare Quality Assurance Project Plan (QAPP)

The City of Sandusky will work with its selected prime and secondary consultant to prepare individual required Quality Assurance Project Plan (QAPP) for both petroleum and hazardous grants and Site-Specific Health and Safety Plans required.

**Task 4: Conduct Phase I Environmental Assessments,
Complete Site Sampling Plans and Phase II
Environmental Site Assessments**

It is estimated that, based on the prioritization of sites, the Consultant will conduct 6 to 8 Phase I Environmental Assessments under each grant (6-8 under Petroleum Assessment and 6 to 8 under Hazardous Assessment - rough estimates based on site prioritization, size and cost) on selected properties. These assessments, depending on the

site of the property, may range from \$5,500 to \$8,000 each or higher. These assessments may include necessary activities including, but not limited to: title searches, property appraisals, detailed surveys, and increased code enforcement activities. If necessary, all grants will be conducted under the standards of the Ohio EPA's Voluntary Action Program (VAP) using State of Ohio Certified Environmental Professionals. Assessments will comply with the ASTM 1527-05 All Appropriate Inquiry standard as required by U.S. EPA. All Petroleum Environmental Assessments involving underground storage tanks will be conducted using American Society of Testing and Materials (ASTM) industry accepted protocol, meet the ASTM 1527-05 standard as well, and adhere to the regulatory standards of the State of Ohio's Department of Commerce, Division of State Fire Marshall, and Bureau of Underground Storage Tank Regulation (BUSTR). The designated environmental firm will be knowledgeable and proficient in conducting either Hazardous Substances or Petroleum Assessments.

Sandusky will conduct 1 to 3 (1 to 3 each grant, both petroleum and hazardous, or a total of 3 to 6) Site Sampling and Analysis Plans and Ohio Voluntary Action Program and or ASTM compliant Phase II Environmental Assessments, which will range from \$25,000 to \$80,000 each or higher, depending on the size and complexity of the property. Phase II site assessments may include magnetometer surveys, trenching to confirm anomalies, and soil and groundwater sampling. Phase II Assessments for petroleum may also include physical tank removal and other physical work as required in such an assessment. The City understands that securing additional funding, for assessments is necessary based on the amount of properties desired to be assessed and the limited budget. The City will seek additional funding for environmental assessments from the Clean Ohio Assistance to supplement the Phase II task.

Task 5: Remedial Planning and Design

The City of Sandusky and its consultant will author 1-2 Remedial Action Project Plans (each grant for a total of 2-4). These plans will be used to help procure additional funding for cleanup and remediation costs that may be needed. The RAPS will be included in grant applications to the Clean Ohio Revitalization Fund, which provides up to \$3,000,000 per project for demolition and cleanup when a development partner commits to the end use of the property.

Task 6: Community Outreach & Training

The City intends to conduct public meetings at the end of major milestones in the project, including: 1) a kick-off meeting for the inception of the project; 2) a single public meeting upon the completion of multiple Phase I activities; 3) the completion of Phase II activities; 4) during reuse planning and the development of Remedial Action Plans to be used in Clean Ohio Assistance Fund or Clean Ohio Revitalization Fund activities. Brochures and fact sheets will also be developed and distributed to the community in with utility bills. A segment of the City's website will also be developed to provide an overview of the City's brownfield program and post updates when quarterly reports are filed with U.S. EPA on the success of the project. City staff, with assistance from the Consultant, will conduct this work. The city may contract with a public relations firm to provide promotional information materials in support of the project and encouraging community participation. The City also intends on traveling to Brownfield related trainings, workshops, seminars and conferences throughout the Grant period.

Task 7: Quarterly Reporting and Annual Financial Reporting to U.S. EPA

The City will submit four (4) quarterly reports per the Federal fiscal year to the assigned EPA Project Officer. Quarterly Reports are due thirty (30) days after the end of the quarter. The Quarterly Report will include: a cover letter, a title information page, an update on the program processes and activities for the quarter, updates of site prioritization (if applicable), a schedule summary, and a budget summary.

A detailed budget is included on the next page.

Petroleum Assessment Grant Budget								
Budget Categories	Task 1: Select Environmental Consultation	Task 2: Inventory and Prioritize Sites, Conduct Site Eligibility	Task 3: Quality Assurance Project Plan	Task 4: Complete 6-8 Phase I ESA's, Site-Specific Sampling Plans and (1-2) Phase II ESA's	Task 5: Remedial Planning and Design (1-2)	Task 6: Community Outreach & Training	Task 7: Quarterly & Annual Financial Reporting	Total
Personnel								
Travel						2,000		
Equipment		2,000						
Supplies						2,000		
Contractual		2,000	5,000	155,000	28,000	3,000	1,000	
Other								
Total		4,000	5,000	155,000	28,000	7,000	1,000	200,000

Hazardous Assessment Grant Budget								
Budget Categories	Task 1: Select Environmental Consultation	Task 2: Inventory and Prioritize Sites, Conduct Site Eligibility	Task 3: Quality Assurance Project Plan	Task 4: Complete 6-8 Phase I ESA's, Site-Specific Sampling Plans and (1-2) Phase II ESA's	Task 5: Remedial Planning and Design (1-2) RAPS)	Task 6: Community Outreach & Training	Task 7: Quarterly & Annual Financial Reporting	Total
Personnel								
Travel						2,000		
Equipment		2,000						
Supplies						2,000		
Contractual		2,000	5,000	155,000	28,000	3,000	1,000	
Other								
Total		4,000	5,000	155,000	28,000	7,000	1,000	200,000

2. **Comment 2 - Travel:** Need breakdown/description of this category to show the travel calculations (i.e. # trips, # people traveling, lodging, per diem, etc).

We have budgeted \$2,000 from each grant for travel, for a total of \$4,000. We plan to have 2 staff (Economic Development Specialist and an additional person) attend the following trainings and other opportunities as they arise:

U.S. EPA Grant Administration Training in Chicago - \$1,250

Mileage	\$100	
Meals	\$150	
Hotel	\$500	
Parking and Air	Travel	\$500

October 2007 Ohio EPA Conference - Cherry Valley Lodge - \$750

Mileage (250 mi x .49/mi x 2 people)	\$250
Hotel (2 people attending, 1 night stay @150)	\$300
Registration (\$100/person with 2 people)	\$200

2008 ICMA Detroit National Brownfields Conference - \$1,704

Air and Hotel (2 people for 4 days)	\$1000
Food (4 days) \$56/day x 2 people)	\$224
Mileage to Detroit (400 mi x .49/mi x 2 people)	\$400
Parking Garage \$20/day	\$80

The remainder of the budget we would reserve for our attendance at other state and regional brownfields assessment, cleanup or redevelopment activities to support educating staff.

3. Comment 3 - Equipment:

a) Need to clarify how the applicant defines their equipment threshold. If their definition is not less than the federal definition of equipment, then these costs may need to be moved to another category.

\$2,000 was budgeted in each grant, or a total of \$4,000. This is under the federal threshold of \$5,000.

b) What is being charged as equipment?

Digital	
Camera	\$400
Safety	
Equipment	\$100
Laptop	
Computer	\$1,500

\$1,000	Arcview Software
\$1,000	Computer Upgrades for Arcview Program

4. Comment 4 - Supplies: Need breakdown/description of how this category was calculated. We have budgeted \$2,000 in each grant for supplies for a total of \$4,000. These would include:

Colored Ink for Printer	\$1,000
RFP copies/distribution paper	\$400
Legal Notice Fees	\$400
Public Notice Signage	\$200
Printing of Brownfields Program	
Fact Sheets/Brochures	\$1,000
Maps/Redevelopment Brochures	\$1,000

July 31, 2007

Dear Mr. Schell:

I have reviewed the attached Cooperative Agreement Work Plan for the FY-07 Brownfields Hazardous Substance and Petroleum Grants awarded to the City of Sandusky, Ohio by U.S. EPA. The Work Plan is acceptable as submitted. Please attach the Work Plan and this approval letter to the City's Application for Federal Assistance (SF 424) and submit two copies to:

Sharon Green, Chief
Assistance Section
EPA Region 5, Mail Code 10J
77 W. Jackson Blvd.
Chicago IL 60604.

Congratulations, and I look forward to working with you over the next three years as the City of Sandusky moves forward with their Brownfields Program.

Sincerely,

Karla Auker
BF Project Manager

Karla M. Auker
U.S. EPA
Brownfields Project Manager
25089 Center Ridge Road
Westlake, Ohio 44145
(440)250-1741
auker.karla@epagov



City of Sandusky, Ohio

**US Environmental Protection Agency Work Plan
For Brownfields Assessment Grants**

**Sandusky Brownfields Assessment Program
(Both Hazardous Substances and Petroleum Substances)**

**City of Sandusky
222 Meigs Street
Sandusky , Ohio 44870**

Project Contact:

Mr. Scott Schell
Economic Development Specialist
City of Sandusky
222 Meigs Street
Sandusky, Ohio 44870
Email: sschell@ci.sandusky.oh.us
Phone: (419) 627-5827
Fax: (419) 627-5825

Alternate Project Contact:

Mr. Gary Packan
Assistant City Manager
222 Meigs Street
Sandusky, Ohio 44870
Email: gpackan@ci.sandusky.oh.us
Phone: (419) 627-5714
Fax: (419) 627-5825

Project Period:

September 1, 2007 – October 30, 2010

Submitted:

July 30, 2007

I. Introduction and Project Overview

Sandusky, Ohio is located in northern Ohio on the edge of Lake Erie between Cleveland and Toledo and serves as the seat of government for Erie County. Sandusky is accessed by Interstate 80/90 and S.R. 2, both providing east-west access south of the City, as well as by US 6, US 250, SR 101 and SR 4 proving east west and north-south corridors through the City. Sandusky Bay borders the northern boundary of the City and Lake Erie is located directly north and east. According to the City's consolidated plan, Sandusky totals about 14.9 square miles (9,536 acres) which includes about 9.1 square miles of land (5,835 acres) and 5.8 square miles of water (3,700 acres). The second largest land use category in Sandusky is vacant brownfields and undeveloped land. Industrial uses also account for 6% of the City (317 acres). According to the City's Consolidated Plan, there are currently 55 acres of vacant industrial buildings, defined as brownfields, in the City. Over the past twenty years, business and land uses increased in the City by 42% and there was a decrease in the amount of industrial acreage by 19.5 percent.

The City of Sandusky will use both of its grants, a \$200,000 grant for the assessment of hazardous substances and a \$200,000 grant for the assessment of petroleum substances, to assess properties and quantify risks to human health and the environment. Sandusky will use U.S. EPA funds to conduct Phase I and II environmental assessments, remedial planning and design and community outreach at brownfield properties that are currently underutilized and abandoned. Funds will help the City determine potential risks to human health and the environment, and plan for cleanup to eliminate these risks and promote sustainable redevelopment. Although the City has a few targeted areas in mind, it will complete a community-wide GIS inventory of all brownfields sites and prioritize them in order to maximize grant resources. Further, the City will use U.S. EPA funds as "seed money" for leveraging additional brownfields grants for assessment, remediation and acquisition.

II. Management and Coordination

Management Structure

The City of Sandusky is able to manage grants and oversee assessment work with internal staff experienced in brownfields activities. The City's Economic Development Specialist and Assistant City Manager will manage the administration and implementation of the grants with support from the City's Engineering and Law Departments and Office of the Mayor. This team has helped to oversee other brownfields projects in the City as indicated on the following page and is experienced in all aspects of brownfields redevelopment, from environmental assessment through remediation and redevelopment. The project management structure for implementation of the grant is as follows:

The City of Sandusky has worked with the Ohio EPA, Ohio Department of Development, U.S. EPA and Ohio Department of Health in previous grant management efforts for brownfield projects. We have worked with Ohio EPA and U.S. EPA to oversee our activities on the previous grants and have participated in its brownfield initiative since 1999. The City utilizes staff in the engineering, planning, health, parks building and legal departments to carry out grants. The Project Manager (Planning Director) has related experience from two previous U.S. EPA grant in procuring and working with consultants, contending with legal access issues, and managing the financial aspects of the grant.

Advisory Groups Supporting Grant Implementation

Sandusky's plan to involve the community in cleanup decisions and reuse planning includes the previously created Sandusky Brownfields Advisory Committee, established in the original U.S. EPA pilot in 1999. The Committee continues to assist and guide City staff in the implementation of the City's Brownfields Program. Those participating will be invited to meet at least once (depending on the duties given to them) to provide guidance in the use of the U.S. EPA grant. The Committee includes local and regional bankers, local community development corporations, master plan participants, regional economic development officials, developers, the Sandusky Community Foundation, an environmental advisory group (representative of Ohio EPA or sub-consultant from an environmental engineering company), industry/property owners (including owners of brownfield properties and a business who is currently going through the remediation process to prepare property for expansion), real estate broker, legal counsel, the City's Planning Director, Law Director, and staff participating in building and code enforcement. This committee will meet regularly at public meetings to discuss guidance on cleanup and reuse decisions. In addition, stakeholders will be notified by mail. All comments will be taken into serious consideration during the planning process.

III. Work Schedule

TASK 1: Engage an Environmental Consultant

The City has systems in place to hire required expertise necessary to implement US EPA funding, and they have available economic development funds to support the acquisition of this expertise. The City will issue and advertise a Request for Qualifications (RFQ) from environmental consultants, evaluate the RFQ's received, and select one prime and one secondary environmental consultant to perform the work. The City will contract directly with the environmental consultant. The City will select one consultant to perform all of the work under the contractual category to be completed under the grant.

All work will be completed under the direction of an Ohio Voluntary Action Program (VAP) Certified Professional and will conform to the standards set forth under the Ohio Voluntary Action Program. The assessment of sites with underground storage tanks present will be conducted using the American Society of Testing and Materials (ASTM) industry accepted protocols and will comply with the regulatory standards of the State of Ohio Department of Commerce, Division of the State Fire Marshall, Bureau of Underground Storage Tank Regulation (BUSTR). All sites selected by the City for assessment under the grant program will be submitted to BUSTR for review and approval before proceeding with the assessment work. As part of this process, an environmental attorney will be selected to prepare site access agreements, review potential liabilities, and other required legal services pursuant to the grant.

Environmental Consultant Selection Process:

Activities	Deliverables	Responsibility	To Be Completed By
Prepare Request for Qualifications (RFQ)	Submit RFQ for USEPA review	City	7 days from Work Plan approval
Advertise RFQ (Public Notice and Send to Interested Parties)	Provide USEPA with copy of published RFQ	City	15 days from USEPA approval of RFQ
Review, Evaluate RFQ's & Select Consultant	None	City	60 days from receipt of RFQ's

Consultant Approved through City Commission Resolution, City Contracts with Consultant	None	City	October '07
--	------	------	-------------

TASK 2: Inventory and Prioritize Sites

The city will select and prioritize sites based on 5 selection criteria that were discussed during the City's Master Plan process, including: 1) sites that qualify for funding; 2) degree and type of contamination; 3) ease of obtaining site control and possible ownership; 4) sites that preserve, secure and enhance existing businesses (i.e. do not force relocation); and 5) public support. The City will work with its existing Brownfield Urban Revitalization Committee, an advisory committee used in the past to assist in the selection of sites consistent with the City Master Plan.

Timeline:

Activities	Deliverables	Responsibility	To Be Completed By
Meet with Brownfields Redevelopment Advisory Committee to Help Prioritize Sites	List of criteria, map and list of prioritized sites	City/Consultant	Ongoing
Finalize Inventory of Brownfields Sites	GIS Inventory/ Database of sites	City/Consultant	Ongoing
Selection of sites and strategy for implementation	None	City	Ongoing; provided with quarterly reports (see Task 7)

TASK 3: Prepare Quality Assurance Project Plan (QAPP)

The City of Sandusky will work with its selected prime and secondary consultant to prepare individual required Quality Assurance Project Plan (QAPP) for both petroleum and hazardous grants and Site-Specific Health and Safety Plans required.

Timeline:

Activities	Deliverables	Responsibility	To Be Completed By
Hold pre-QAPP meeting between consultants and US EPA	Meeting Minutes	City/Consultant	Within two weeks of bid award
Submit Draft QAPP	Draft QAPP forwarded to US EPA	Consultant	30 days from Pre-QAPP meeting
Submit Final QAPP	Final QAPP forwarded to US EPA	Consultant	15 days after comments received from EPA

Task 4: Conduct Phase I Environmental Assessments, Complete Site Sampling Plans and Phase II Environmental Site Assessments

It is estimated that, based on the prioritization of sites, the Consultant will conduct 6 to 8 Phase I Environmental Assessments under each grant (6-8 under Petroleum Assessment and 6 to 8 under Hazardous Assessment – rough estimates based on site prioritization, size and cost) on selected properties. These assessments, depending on the site of the property, may range from \$5,500 to \$8,000 each or higher. These assessments may include necessary activities including, but not limited to: title searches, property appraisals, detailed surveys, and increased code enforcement activities. If necessary, all grants will be conducted under the standards of the Ohio EPA's Voluntary Action Program (VAP) using State of Ohio Certified Environmental Professionals. Assessments will comply with the ASTM 1527-05 All Appropriate Inquiry standard as required by U.S. EPA. All Petroleum Environmental Assessments involving underground storage tanks will be conducted using American Society of Testing and Materials (ASTM) industry accepted protocol, meet the ASTM 1527-05 standard as well, and adhere to the regulatory standards of the State of Ohio's Department of Commerce, Division of State Fire Marshall, and Bureau of Underground Storage Tank Regulation (BUSTR). The designated environmental firm will be knowledgeable and proficient in conducting either Hazardous Substances or Petroleum Assessments.

Sandusky will conduct 1 to 3 (1 to 3 each grant, both petroleum and hazardous, or a total of 3 to 6) Site Sampling and Analysis Plans and Ohio Voluntary Action Program and or ASTM compliant Phase II Environmental Assessments, which will range from \$25,000 to \$80,000 each or higher, depending on the size and complexity of the property. Phase II site assessments may include magnetometer surveys, trenching to confirm anomalies, and soil and groundwater sampling. Phase II Assessments for petroleum may also include physical tank removal and other physical work as required in such an assessment. The City understands that securing

additional funding for assessments is necessary based on the amount of properties desired to be assessed and the limited budget. The City will seek additional funding for environmental assessments from the Clean Ohio Assistance to supplement the Phase II task.

Timeline:

Activities	Deliverables	Responsibility	To Be Completed By
Select sites	Target Sites (Need a Phase I, a Sampling Plan before conducting Phase II, and eligibility determination before Phase II)	City/Consultant	Ongoing
Send EPA Project Manager and/or BUSTR Manager Information about Properties as they are selected for Property Specific Eligibility Determination.	Completed Property Specific Eligibility Determination Questionnaire for each individual property targeted for Phase I or II work	Consultant	Ongoing
Conduct Phase I ESA	Consultant begins Phase I environmental site assessments	City/Consultant	30 days after EPA/BUSTR approval
Prepare Site Sampling Plans for Phase II ESA's	Submitted to U.S. EPA for approval prior to sampling	City/Consultant	Ongoing
Prepare Phase II Report	Phase II Report finalized	Consultant	Ongoing
Phase II Completed	Submit copy of completed Phase II to US EPA with quarterly reports	City	Ongoing

Task 5: Remedial Planning and Design

The City of Sandusky and its consultant will author 1-2 Remedial Action Project Plans (each grant for a total of 2-4). These plans will be used to help procure additional funding for cleanup and remediation costs that may be needed. The RAPS will be included in grant applications to the Clean Ohio Revitalization Fund, which provides up to \$3,000,000 per project for demolition and cleanup when a development partner commits to the end use of the property.

Timeline:

Activities	Deliverables	Responsibility	To Be Completed By
Conduct remedial planning for sites with completed Phase II assessments	Submit remedial plan to US EPA for approval	Consultant	Ongoing
Apply for Clean Ohio Revitalization Fund or Clean Ohio Assistance Fund Grant Funds	Grant Application	City/Consultant	Ongoing

Task 6: Community Outreach & Training

The City intends to conduct public meetings at the end of major milestones in the project, including: 1) a kick-off meeting for the inception of the project; 2) a single public meeting upon the completion of multiple Phase I activities; 3) the completion of Phase II activities; 4) during reuse planning and the development of Remedial Action Plans to be used in Clean Ohio Assistance Fund or Clean Ohio Revitalization Fund activities. Brochures and fact sheets will also be developed and distributed to the community in with utility bills. A segment of the City's website will also be developed to provide an overview of the City's brownfield program and post updates when quarterly reports are filed with US EPA on the success of the project. City staff, with assistance from the Consultant, will conduct this work. The city may contract with a public relations firm to provide promotional information materials in support of the project and encouraging community participation. The City also intends on traveling to Brownfield related trainings, workshops, seminars and conferences throughout the Grant period.

Timeline:

Activities	Deliverables	Responsibility	To Be Completed By
Kick-Off Public Meeting to discuss grant	Determine date and copy of presentation	City/Consultant	Prior to City Signing Cooperative Agreement as required. Likely August 2007
Determine communication needs on a site-by-site basis	Determined on a site-by-site basis	City	Ongoing
Pre Phase II activity	Inform community of planned activity. Provide meeting minutes, published ad, meeting agenda, etc. to the US EPA, (meetings will be planned based on the complexity of projects and need for involvement based on potential funding opportunities).	City/Consultant	Ongoing

Attend EPA brown-field workshop	None	City	As available
Attend ICMA Brownfields 2008 Conference	None	City	As available

Task 7: Quarterly Reporting and Annual Financial Reporting to US EPA

The City will submit four (4) quarterly reports per the Federal fiscal year to the assigned EPA Project Officer. Quarterly Reports are due thirty (30) days after the end of the quarter. The Quarterly Report will include: a cover letter, a title information page, an update on the program processes and activities for the quarter, updates of site prioritization (if applicable), a schedule summary, and a budget summary.

Timeline:

Activities	Deliverables	Responsibility	To Be Completed By
Prepare Quarterly Reports	Quarterly Report received by US EPA Project Officer and completed 9130.13 form.	City	30 days from end of Federal Fiscal Quarter: January 30, April 30, July 30, & October 30
Annual Financial Report	One year from Cooperative Agreement start date	City	Annually

IV. Budget

The bulk of the grant dollars will be spent on Phase I and II assessments to address hazardous substances or petroleum substances and to complete remedial planning and design. This may include legal services to prepare site access agreements, review potential liabilities, and other required legal services pursuant to the grant.

Petroleum Assessment Grant Budget								Total
Budget Categories	Task 1: Select Environmental Consultant	Task 2: Inventory and Prioritize Sites, Conduct Site Eligibility	Task 3: Quality Assurance Project Plan	Task 4: Complete 6-8 Phase I ESA's, Site-Specific Sampling Plans and (1-2) Phase II ESA's	Task 5: Remedial Planning and Design (1-2)	Task 6: Community Outreach & Training	Task 7: Quarterly & Annual Financial Reporting	
Personnel								
Travel						2,000		
Equipment		2,000						
Supplies						2,000		
Contractual		2,000	5,000	155,000	28,000	3,000	1,000	
Other								
Total		4,000	5,000	155,000	28,000	7,000	1,000	200,000

Hazardous Assessment Grant Budget								Total
Budget Categories	Task 1: Select Environmental Consultant	Task 2: Inventory and Prioritize Sites, Conduct Site Eligibility	Task 3: Quality Assurance Project Plan	Task 4: Complete 6-8 Phase I ESA's, Site-Specific Sampling Plans and (1-2) Phase II ESA's	Task 5: Remedial Planning and Design (1-2 RAPS)	Task 6: Community Outreach & Training	Task 7: Quarterly & Annual Financial Reporting	
Personnel								
Travel						2,000		
Equipment		2,000						
Supplies						2,000		
Contractual		2,000	5,000	155,000	28,000	3,000	1,000	
Other								
Total		4,000	5,000	155,000	28,000	7,000	1,000	200,000

Hazardous Substances Assessment Grant Environmental Results Table

Stated Objective/ Link to EPA Strategic Plan	Grant Funding	Work Plan Activities & Timeframe for Accomplishment (Commitments)	Results of Activities (outputs)	Projected Environmental Improvement (outcome)	Established Baseline for Measurement
<p>Assessment Grant Section 104(k)</p> <p>Goal 4 Healthy Communities & Ecosystems</p> <p>Subobjective 4.2.3 Assess and Cleanup Brownfields</p>	\$200,000 Hazardous Substance	<p>Within grant period, City will create a GIS inventory of brownfields, assess 6-8 properties with suspected contamination and prepare a Remedial Action Plan for 3-6 properties by the end of the grant period Sept. 2007.</p>	<p>6-8 Phase I Assessment Reports;</p> <p>1-3 Phase II Assessment Reports</p> <p>1-2 Remedial Action Plan Reports;</p> <p>6-8 Property Profile Forms (updated periodically); QAPP, HSP, Site Specific sampling plan(s)</p> <p>Conduct 4 public meetings</p>	<p>6-8 properties assessed and 1-2 remedial action plans developed</p> <p>15 acres assessed</p> <p>8 jobs created</p> <p>\$1,000,000 cleanup/redevelopment funds leveraged</p> <p>Informed community on brownfields issues</p>	<p>6-8 assessments completed,</p> <p>15 acres assessed</p> <p>8 jobs created</p> <p>\$1,000,000 in cleanup/redevelopment funds leveraged</p>

Petroleum Substances Assessment Grant Environmental Results Table

Stated Objective/ Link to EPA Strategic Plan	Grant Funding	Work Plan Activities & Timeframe for Accomplishment (Commitments)	Results of Activities (outputs)	Projected Environmental Improvement (outcome)	Established Baseline for Measurement
Assessment Grant Section 104(k) Goal 4 Healthy Communities & Ecosystems Subobjective 4.2.3 Assess and Cleanup Brownfields	\$200,000 Petroleum Substance	Within grant period, City will create a GIS inventory of brownfields, assess 6-8 properties with suspected contamination and prepare a Remedial Action Plan for 3-6 properties by the end of the grant period Sept. 2007.	6-8 Phase I Assessment Reports; 1-3 Phase II Assessment Reports 1-2 Remedial Action Plan Reports; 6-8 Property Profile Forms (updated periodically); QAPP, HSP, Site Specific sampling plan(s) Conduct 4 public meetings	6-8 properties assessed and 1-2 remedial action plans developed 15 acres assessed 8 jobs created \$1,000,000 cleanup/redevelopment funds leveraged Informed community on brownfields issues	6-8 assessments completed, 15 acres assessed 8 jobs created \$1,000,000 in cleanup/redevelopment funds leveraged

Application for Federal Assistance SF-424

Version 02

* 1. Type of Submission:

- ☐ Preapplication
☒ Application
☐ Changed/Corrected Application

* 2. Type of Application:

- ☒ New
☐ Continuation
☐ Revision

* If Revision, select appropriate letter(s):

* Other (Specify)

* 3. Date Received:

Completed by Grants.gov upon submission

4. Applicant Identifier:

5a. Federal Entity Identifier:

* 5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name: City of Sandusky, Ohio

* b. Employer/Taxpayer Identification Number (EIN/TIN):

34-6401311

* c. Organizational DUNS:

076919786

d. Address:

* Street1: 222 Meigs Street

Street2:

* City: Sandusky

County: Erie

* State: Ohio

Province:

* Country: USA

* Zip / Postal Code: 44870

e. Organizational Unit:

Department Name:

Department of Development

Division Name:

Economic Development

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: Mr.

* First Name: Scott

Middle Name: James

* Last Name: Schell

Suffix:

Title: Economic Development Specialist

Organizational Affiliation:

City of Sandusky

* Telephone Number: 419.627.5827

Fax Number: 419.627.5825

* Email: sschell@ci.sandusky.oh.us

08 AUG - 3 PM '06
ACQUISITION
PROTECTION AGENCY
REGION V

Application for Federal Assistance SF-424

Version 02

9. Type of Applicant 1: Select Applicant Type:

City Government (C)

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

* 10. Name of Federal Agency:

USEPA

11. Catalog of Federal Domestic Assistance Number:

66.818

CFDA Title:

Assessment Grants - Hazardous Substances & Petroleum

* 12. Funding Opportunity Number:

* Title:

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

City of Sandusky, Ohio

* 15. Descriptive Title of Applicant's Project:

Hazardous Substance Assessment & Petroleum Assessment - Citywide

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424

Version 02

16. Congressional Districts Of:

* a. Applicant **OH-009**

* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

* a. Start Date: **10/01/2007**

* b. End Date: **9/30/2010**

18. Estimated Funding (\$):

* a. Federal	\$400,000.00
* b. Applicant	
* c. State	
* d. Local	
* e. Other	
* f. Program Income	
* g. TOTAL	\$400,000.00

* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?

- ☐ a. This application was made available to the State under the Executive Order 12372 Process for review on
- ☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- ☒ c. Program is not covered by E.O. 12372.

* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)

☐ Yes ☒ No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative: *James R. Miears*

Prefix: **Mr.** * First Name: **James**

Middle Name: **L.**

* Last Name: **Miears**

Suffix:

* Title: **Interim City Manager**

* Telephone Number: **419.627.5844** Fax Number: **419.627.5825**

* Email: **dmiears@ci.sandusky.oh.us**

* Signature of Authorized Representative: * Date Signed:

Application for Federal Assistance SF-424

Version 02

*** Applicant Federal Debt Delinquency Explanation**

The following field should contain an explanation if the Applicant organization is delinquent on any Federal Debt. Maximum number of characters that can be entered is 4,000. Try and avoid extra spaces and carriage returns to maximize the availability of space.

INSTRUCTIONS FOR THE SF-424

Public reporting burden for this collection of information is estimated to average 60 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0043), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

This is a standard form (including the continuation sheet) required for use as a cover sheet for submission of preapplications and applications and related information under discretionary programs. Some of the items are required and some are optional at the discretion of the applicant or the Federal agency (agency). Required items are identified with an asterisk on the form and are specified in the instructions below. In addition to the instructions provided below, applicants must consult agency instructions to determine specific requirements.

Item	Entry:	Item	Entry:
1.	Type of Submission: (Required): Select one type of submission in accordance with agency instructions. <ul style="list-style-type: none"> • Preapplication • Application • Changed/Corrected Application – If requested by the agency, check if this submission is to change or correct a previously submitted application. Unless requested by the agency, applicants may not use this to submit changes after the closing date. 	10.	Name Of Federal Agency: (Required) Enter the name of the Federal agency from which assistance is being requested with this application.
		11.	Catalog Of Federal Domestic Assistance Number/Title: Enter the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested, as found in the program announcement, if applicable.
2.	Type of Application: (Required) Select one type of application in accordance with agency instructions. <ul style="list-style-type: none"> • New – An application that is being submitted to an agency for the first time. • Continuation - An extension for an additional funding/budget period for a project with a projected completion date. This can include renewals. • Revision - Any change in the Federal Government's financial obligation or contingent liability from an existing obligation. If a revision, enter the appropriate letter(s). More than one may be selected. If "Other" is selected, please specify in text box provided. <ul style="list-style-type: none"> A. Increase Award B. Decrease Award C. Increase Duration D. Decrease Duration E. Other (specify) 	12.	Funding Opportunity Number/Title: (Required) Enter the Funding Opportunity Number and title of the opportunity under which assistance is requested, as found in the program announcement.
		13.	Competition Identification Number/Title: Enter the Competition Identification Number and title of the competition under which assistance is requested, if applicable.
		14.	Areas Affected By Project: List the areas or entities using the categories (e.g., cities, counties, states, etc.) specified in agency instructions. Use the continuation sheet to enter additional areas, if needed.
3.	Date Received: Leave this field blank. This date will be assigned by the Federal agency.	15.	Descriptive Title of Applicant's Project: (Required) Enter a brief descriptive title of the project. If appropriate, attach a map showing project location (e.g., construction or real property projects). For preapplications, attach a summary description of the project.
4.	Applicant Identifier: Enter the entity identifier assigned by the Federal agency, if any, or applicant's control number, if applicable.		
5a.	Federal Entity Identifier: Enter the number assigned to your organization by the Federal Agency, if any.	16.	Congressional Districts Of: (Required) 16a. Enter the applicant's Congressional District, and 16b. Enter all District(s) affected by the program or project. Enter in the format: 2 characters State Abbreviation – 3 characters District Number, e.g., CA-005 for California 5 th district, CA-012 for California 12 th district, NC-103 for North Carolina's 103 rd district. <ul style="list-style-type: none"> • If all congressional districts in a state are affected, enter "all" for the district number, e.g., MD-all for all congressional districts in Maryland. • If nationwide, i.e. all districts within all states are affected, enter US-all. • If the program/project is outside the US, enter 00-000.
5b.	Federal Award Identifier: For new applications leave blank. For a continuation or revision to an existing award, enter the previously assigned Federal award identifier number. If a changed/corrected application, enter the Federal Identifier in accordance with agency instructions.		
6.	Date Received by State: Leave this field blank. This date will be assigned by the State, if applicable.	17.	Proposed Project Start and End Dates: (Required) Enter the proposed start date and end date of the project.
7.	State Application Identifier: Leave this field blank. This identifier will be assigned by the State, if applicable.	18.	Estimated Funding: (Required) Enter the amount requested or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines, as applicable. If the action will result in a dollar change to an existing award, indicate only the amount of the change. For decreases, enclose the amounts in parentheses.
8.	Applicant Information: Enter the following in accordance with agency instructions: <ul style="list-style-type: none"> a. Legal Name: (Required): Enter the legal name of applicant that will undertake the assistance activity. This is the name that the organization has registered with the Central Contractor Registry. Information on registering with CCR may be obtained by visiting the Grants.gov website. b. Employer/Taxpayer Number (EIN/TIN): (Required): Enter the Employer or Taxpayer Identification Number (EIN or TIN) as assigned by the Internal Revenue Service. If your organization is not in the US, enter 44-4444444. c. Organizational DUNS: (Required) Enter the organization's DUNS or DUNS+4 number received from Dun and Bradstreet. Information on obtaining a DUNS number may be obtained by visiting the Grants.gov website. d. Address: Enter the complete address as follows: Street address (Line 1 required), City (Required), County, State (Required, if country is US), Province, Country (Required), Zip/Postal Code (Required, if country is US). e. Organizational Unit: Enter the name of the primary organizational unit (and department or division, if applicable) that will undertake the 	19.	Is Application Subject to Review by State Under Executive Order 12372 Process? Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the

	assistance activity, if applicable. f. Name and contact information of person to be contacted on matters involving this application: Enter the name (First and last name required), organizational affiliation (if affiliated with an organization other than the applicant organization), telephone number (Required), fax number, and email address (Required) of the person to contact on matters related to this application.	State intergovernmental review process. Select the appropriate box. If "a." is selected, enter the date the application was submitted to the State 20. Is the Applicant Delinquent on any Federal Debt? (Required) Select the appropriate box. This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes. If yes, include an explanation on the continuation sheet.		
9.	Type of Applicant: (Required) Select up to three applicant type(s) in accordance with agency instructions. <table border="1" data-bbox="162 430 860 1001"> <tr> <td data-bbox="162 430 511 1001"> A. State Government B. County Government C. City or Township Government D. Special District Government E. Regional Organization F. U.S. Territory or Possession G. Independent School District H. Public/State Controlled Institution of Higher Education I. Indian/Native American Tribal Government (Federally Recognized) J. Indian/Native American Tribal Government (Other than Federally Recognized) K. Indian/Native American Tribally Designated Organization L. Public/Indian Housing Authority </td> <td data-bbox="511 430 860 1001"> M. Nonprofit with 501C3 IRS Status (Other than Institution of Higher Education) N. Nonprofit without 501C3 IRS Status (Other than Institution of Higher Education) O. Private Institution of Higher Education P. Individual Q. For-Profit Organization (Other than Small Business) R. Small Business S. Hispanic-serving Institution T. Historically Black Colleges and Universities (HBCUs) U. Tribally Controlled Colleges and Universities (TCCUs) V. Alaska Native and Native Hawaiian Serving Institutions W. Non-domestic (non-US) Entity X. Other (specify) </td> </tr> </table>	A. State Government B. County Government C. City or Township Government D. Special District Government E. Regional Organization F. U.S. Territory or Possession G. Independent School District H. Public/State Controlled Institution of Higher Education I. Indian/Native American Tribal Government (Federally Recognized) J. Indian/Native American Tribal Government (Other than Federally Recognized) K. Indian/Native American Tribally Designated Organization L. Public/Indian Housing Authority	M. Nonprofit with 501C3 IRS Status (Other than Institution of Higher Education) N. Nonprofit without 501C3 IRS Status (Other than Institution of Higher Education) O. Private Institution of Higher Education P. Individual Q. For-Profit Organization (Other than Small Business) R. Small Business S. Hispanic-serving Institution T. Historically Black Colleges and Universities (HBCUs) U. Tribally Controlled Colleges and Universities (TCCUs) V. Alaska Native and Native Hawaiian Serving Institutions W. Non-domestic (non-US) Entity X. Other (specify)	21. Authorized Representative: (Required) To be signed and dated by the authorized representative of the applicant organization. Enter the name (First and last name required) title (Required), telephone number (Required), fax number, and email address (Required) of the person authorized to sign for the applicant. A copy of the governing body's authorization for you to sign this application as the official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.)
A. State Government B. County Government C. City or Township Government D. Special District Government E. Regional Organization F. U.S. Territory or Possession G. Independent School District H. Public/State Controlled Institution of Higher Education I. Indian/Native American Tribal Government (Federally Recognized) J. Indian/Native American Tribal Government (Other than Federally Recognized) K. Indian/Native American Tribally Designated Organization L. Public/Indian Housing Authority	M. Nonprofit with 501C3 IRS Status (Other than Institution of Higher Education) N. Nonprofit without 501C3 IRS Status (Other than Institution of Higher Education) O. Private Institution of Higher Education P. Individual Q. For-Profit Organization (Other than Small Business) R. Small Business S. Hispanic-serving Institution T. Historically Black Colleges and Universities (HBCUs) U. Tribally Controlled Colleges and Universities (TCCUs) V. Alaska Native and Native Hawaiian Serving Institutions W. Non-domestic (non-US) Entity X. Other (specify)			

BUDGET INFORMATION - Non-Construction Programs**SECTION A - BUDGET SUMMARY**

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. Brownfield Assessment	66.818	\$	\$	\$400,000	\$	\$ 0.00
2.						0.00
3.						0.00
4.						0.00
5. Totals		\$ 0.00	\$ 0.00	\$400,000	\$ 0.00	\$400,000

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1) Hazardous Waste	(2) Petroleum	(3)	(4)	
a. Personnel					
b. Fringe Benefits					0.00
c. Travel	\$2,000	\$2,000			\$4,000
d. Equipment	\$2,000	\$2,000			\$4,000
e. Supplies	\$2,000	\$2,000			\$4,000
f. Contractual	\$194,000	\$194,000			\$388,000
g. Construction					0.00
h. Other					0.00
i. Total Direct Charges (sum of 6a-6h)	\$200,000	\$200,000	0.00	0.00	\$400,000
j. Indirect Charges					0.00
k. TOTALS (sum of 6i and 6j)	\$200,000	\$200,000	\$ 0.00	\$ 0.00	\$400,000

7. Program Income	\$	\$	\$	\$	\$ 0.00
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Standard Form 424A (Rev. 7-97)
Prescribed by OMB Circular A-102

SECTION C - NON-FEDERAL RESOURCES						
(a) Grant Program		(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS	
8.					\$ 0.00	
9.					\$ 0.00	
10.					\$ 0.00	
11.					\$ 0.00	
12. Total (SUM OF LINES 8-11)					\$ 0.00	
SECTION D - FORECASTED CASH NEEDS						
13. Federal		Total for 1 st Year	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter
		\$135,000	\$33,750	\$33,750	\$33,750	\$33,750
14. Non-Federal		0.00				
15. TOTAL (sum of lines 13 and 14)		\$135,000	\$33,750	\$33,750	\$33,750	\$33,750
SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT						
(a) Grant Program		FUTURE FUNDING PERIODS (years)				
		(b) First	(c) Second	(d) Third	(e) Fourth	
16. Environmental Assessments		(first year above)	\$135,000	\$130,000	\$	
17.						
18.						
19.						
20. TOTAL (sum of lines 16-19)		\$ 0.00	\$135,000	\$ 130,000	\$ 0.00	
SECTION F - OTHER BUDGET INFORMATION						
21. Direct Charges:			22. Indirect Charges:			
23. Remarks:						

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ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application. 2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives. 3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain. 4. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain. 5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F). 6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), which prohibits discrimination on the | <ol style="list-style-type: none"> basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application. 7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases. 8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds. |
|--|---|

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Standard Form 424B (Rev 7-97)
Prescribed by OMB Circular A-102

<p>9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. 276a to 276a-7), the Copeland Act (40 U.S.C. 276c and 18 U.S.C. 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-333), regarding labor standards for federally-assisted construction subagreement.</p> <p>10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.</p> <p>11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in flood plains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).</p>		<p>12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. 1271 et seq.) Related to protecting components or potential components of the national wild and scenic rivers system.</p> <p>13. Will assist the awarding agency in assuring compliance will Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).</p> <p>14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.</p> <p>15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) Pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.</p> <p>16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4801 et seq.) Which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.</p> <p>17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."</p> <p>18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.</p>
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<p>SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL</p> <p><i>James L. McInnis</i></p>	<p>TITLE</p> <p><i>Interim City Manager</i></p>
<p>APPLICANT ORGANIZATION</p> <p><i>CITY OF SANDUSKY, OHIO</i></p>	<p>DATE SUBMITTED</p> <p><i>7/6/07</i></p>

CERTIFICATION REGARDING LOBBYING

CERTIFICATION FOR CONTRACTS, GRANTS, LOANS, AND COOPERATIVE AGREEMENTS

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, ADisclosure Form to Report Lobbying, @ in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-contracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

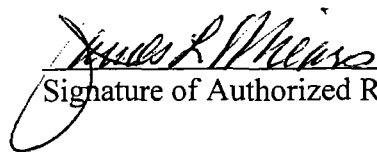
This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352 , title 31 U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

James L. Miears, Interim City Manager

Typed Name & Title of Authorized Representative

Signature of Authorized Representative

Date



7/6/07

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure.)

Approved by OMB
0348-0046

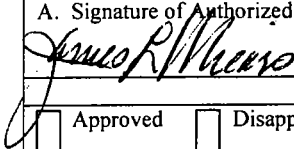
1. Type of Federal Action: <input checked="checked" type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	2. Status of Federal Action: <input checked="checked" type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. Report Type: <input checked="checked" type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____
4. Name and Address of Reporting Entity: <input checked="checked" type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: City of Sandusky, Ohio 222 Meigs Street Sandusky, OH 44870 Congressional District, if known: OH-009		5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: Congressional District, if known:
6. Federal Department/Agency: USEPA	7. Federal Program Name/Description: Assessment Grants CFDA Number, if applicable: 66.818	
8. Federal Action Number, if known:	9. Award Amount, if known: \$ 400,000.00	
10. a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI): No Lobbying Registrant	b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI): No Lobbying Services Performed	
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature: <u>James L. Miears</u> Print Name: James L. Miears Title: Interim City Manager Telephone No.: 419.627.5844 Date: 7/6/07	
Federal Use Only:		Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)



Washington, DC 20460
Preaward Compliance Review Report for
All Applicants Requesting Federal Financial Assistance

FORM Approved
OMB No. 2030-0020
Expires 12-31-05

Note: Read instructions before completing form.

I. A. Applicant (Name, City, State) City of Sandusky, Ohio	B. Recipient (Name, City, State) (Same)	C. EPA Project No.
II. Brief description of proposed project, program or activity. Assessment Grants for Brownfields Contaminated with Hazardous Substances and Petroleum - Citywide		
III. Are any civil rights lawsuits or complaints pending against applicant and/or recipient? If yes, list those complaints and the disposition of each complaint.		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
IV. Have any civil rights compliance reviews of the applicant and/or recipient been conducted by any Federal agency during the two years prior to this application for activities which would receive EPA assistance? If yes, list those compliance reviews and status of each review.		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
V. Is any other Federal financial assistance being applied for or is any other Federal financial assistance being applied to any portion of this project, program or activity? If yes, list the other Federal Agency(s), describe the associated work and the dollar amount of assistance.		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
VI. If entire community under the applicant's jurisdiction is not served under the existing facilities/services, or will not be served under the proposed plan, give reasons why. Grants to be used for assessments Citywide.		
VII. Population Characteristics		Number of People
1. A. Population of Entire Service Area		27,844
B. Minority Population of Entire Service Area		7,099
2. A. Population Currently Being Served		27,844
B. Minority Population Currently Being Served		7,099
3. A. Population to be Served by Project, Program or Activity		27,844
B. Minority Population to be Served by Project, Program or Activity		7,099
4. A. Population to Remain Without Service		0
B. Minority Population to Remain Without Service		0
VII. Will all new facilities or alterations to existing facilities financed by these funds be designed and constructed to be readily accessible to and usable by handicapped persons? If no, explain how a regulatory exception (40 CFR 7.70) applies.		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
IX. Give the schedule for future projects, programs or activities (or of future plans), by which services will be provided to all beneficiaries within applicant's jurisdiction. If there is no schedule, explain why. Schedule is ongoing and is outlined in attached Work Plan		
X. I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		
A. Signature of Authorized Official 	B. Title of Authorized Official Interim City Manager	C. Date 7/6/07
For the U.S. Environmental Protection Agency		
<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved	Authorized EPA Official	Date

City of Sandusky
Preaward Compliance Review Report for All Applicants
Requesting Federal Financial Assistance
Attachment for III

Complaints

1. Jane Doe c/o Ritzler, Coughlin & Swansinger LTD v. City of Sandusky, et. al., case no. 3:06-CV-02127. Filed in September, 2006, in United States District Court for the Northern District of Ohio. Still pending.

Instructions for EPA FORM 4700-4 (Rev. 1/90)

General

Recipients of Federal financial assistance from the U.S. Environmental Protection Agency must comply with the following statutes.

Title VI of the Civil Rights Acts of 1964 provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

The Act goes on to explain that the title shall not be construed to authorize action with respect to any employment practice of any employer, employment agency, or labor organization (except where the primary objective of the Federal financial assistance is to provide employment).

Section 13 of the 1972 Amendments to the Federal Water Pollution Control Act provides that no person in the United States shall on the ground of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under the Federal Water Pollution Control Act, as amended. Employment discrimination on the basis of sex is prohibited in all such programs or activities.

Section 504 of The Rehabilitation Act of 1973 provides that no otherwise qualified handicapped individual shall solely by reason of handicap be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Employment discrimination on the basis of handicap is prohibited in all such programs or activities.

The Age Discrimination Act of 1975 provides that no person on the basis of age shall be excluded from participation under any program or activity receiving Federal financial assistance. Employment discrimination is not covered. Age discrimination in employment is prohibited by the Age Discrimination in Employment Act administered by the Equal Employment Opportunity Commission.

Title IX of the Education Amendments of 1972 provides that no person on the basis of sex shall be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance. Employment discrimination on the basis of sex is prohibited in all such education programs or activities. Note: an education program or activity is not limited to only those conducted by a formal institution.

The information on this form is required to enable the U.S. Environmental Protection Agency to determine whether applicants and prospective recipients are developing projects, programs and activities on a nondiscriminatory basis as required by the above statutes.

Submit this form with the original and

ITEMS

- IA. "Applicant" means any entity that files an application or unsolicited proposal or otherwise requests EPA assistance.
- IB. "Recipient" means any entity, other than applicant, which will actually receive EPA assistance.
- IC. Self-explanatory.
- II. Self-explanatory.
- III. "Civil rights lawsuits" means any lawsuit or complaint alleging discrimination on the basis of race, color, national origin, sex, age, or handicap pending against the applicant and/or entity, which actually benefits from the grant. For example, if a city is the named applicant but the grant will actually benefit the Department of Sewage, civil rights lawsuits involving both the city and the Department of Sewage should be listed.
- IV. "Civil rights compliance review" means any review assessing the applicant and/or recipient's compliance with laws prohibiting discrimination on the basis of race, color, national origin, sex, age, or handicap. If any part of the review covered the entity, which will actually benefit from the grant, it should be listed.
- V. Self-explanatory.
- VI. The word "community" refers to the area under the applicant and/or recipient's jurisdiction. The "community" might be a university or laboratory campus, or a community within a large city. If there is significant disparity between minority and nonminority populations to receive service, not otherwise satisfactorily explained, the Regional office may require a map, which indicates the minority and nonminority population served by this project, program or activity.
- VII. This information is required so that reviewers may determine if a disparity in the proposed provision of services will exist in the event the application is approved for funding. Give population of recipient's jurisdiction, broken out by categories as specified.
- In the event the applicant cannot provide the requested information because the funds will be distributed over a wide demographic area, which is yet to be determined, an explanation may be provided on a separate sheet. For example, a State applying for a capitalization grant under the State Revolving Fund program may not know which cities and counties will apply for, and receive, SRF loans.
- III. Self-explanatory.
- IX. "Jurisdiction" means the geographical area over which applicant has the authority to provide service.

required copies of applications, requests for extensions, requests for increase of funds, etc. Updates of information are all that are required after the initial application submission.

If any item is not relevant to the project for which assistance is requested, write "NA" for "Not Applicable."

In the event applicant is uncertain about how to answer certain questions, EPA program officials should be contacted for clarification.

X. Self-explanatory.

"Burden Disclosure Statement"

EPA estimates public reporting burden for the preparation of this form to average 30 minutes per response. This estimate includes the time for reviewing instructions, gathering and maintaining the data needed and completing and reviewing the form. Send comments regarding the burden estimate, including suggestions for reducing this burden, to Chief, Information Policy Branch, PM-223, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503.



KEY CONTACTS FORM

Authorized Representative: *Original awards and amendments will be sent to this individual for review and acceptance, unless otherwise indicated.*

Name: Scott Schell
Title: Economic Development Specialist
Complete Address: 222 Meigs Street Sandusky, OH 44870
Phone Number: 419.627.5827

Payee: *Individual authorized to accept payments.*

Name: Edward Widman
Title: Finance Director
Mail Address: 222 Meigs Street Sandusky, OH 44870
Phone Number: 419.627.5888

Administrative Contact: *Individual from Sponsored Program Office to contact concerning administrative matters (i.e., indirect cost rate computation, rebudgeting requests etc.)*

Name: Scott Schell
Title: Economic Development Specialist
Mailing Address: 222 Meigs Street Sandusky, OH 44870
Phone Number: 419.627.5827
FAX Number: 419.627.5825
E-Mail Address: sschell@ci.sandusky.oh.us

Principal Investigator: *Individual responsible for the technical completion of the proposed work.*

Name: Scott Schell
Title: Economic Development Specialist
Mailing Address: 222 Meigs Street Sandusky, OH 44870
Phone Number: 419.627.5827
FAX Number: 419.627.5825
E-Mail Address: sschell@ci.sandusky.oh.us
Web URL: www.ci.sandsuky.oh.us

Biographical Sketch

Scott Schell Economic Development Specialist

Scott Schell will be the main contact for the EPA Hazardous Substance and Petroleum Assessment grants. Scott has an undergraduate degree in Psychology and has undertaken coursework toward a Masters in Public Administration. He has eleven years experience in City and County municipal government in Colorado Springs, Colorado. He joined the City of Sandusky staff in 2006 as Economic Development Specialist and has also been designated as the Brownfield Coordinator. During his time with the City of Sandusky he has worked with Clean Ohio Assistance, Clean Ohio Revitalization Fund, and US EPA Assessment Grant monies in the areas of grant writing and administration after the awards were made.

July 31, 2007

Dear Mr. Schell:

I have reviewed the attached Cooperative Agreement Work Plan for the FY-07 Brownfields Hazardous Substance and Petroleum Grants awarded to the City of Sandusky, Ohio by U.S. EPA. The Work Plan is acceptable as submitted. Please attach the Work Plan and this approval letter to the City's Application for Federal Assistance (SF 424) and submit two copies to:

Sharon Green, Chief
Assistance Section
EPA Region 5, Mail Code 10J
77 W. Jackson Blvd.
Chicago IL 60604.

Congratulations, and I look forward to working with you over the next three years as the City of Sandusky moves forward with their Brownfields Program.

Sincerely,

Karla Auker
BF Project Manager

Karla M. Auker
U.S. EPA
Brownfields Project Manager
25089 Center Ridge Road
Westlake, Ohio 44145
(440)250-1741
auker.karla@epagov



City of Sandusky, Ohio

**US Environmental Protection Agency Work Plan
For Brownfields Assessment Grants**

**Sandusky Brownfields Assessment Program
(Both Hazardous Substances and Petroleum Substances)**

**City of Sandusky
222 Meigs Street
Sandusky , Ohio 44870**

Project Contact:

Mr. Scott Schell
Economic Development Specialist
City of Sandusky
222 Meigs Street
Sandusky, Ohio 44870
Email: sschell@ci.sandusky.oh.us
Phone: (419) 627-5827
Fax: (419) 627-5825

Alternate Project Contact:

Mr. Gary Packan
Assistant City Manager
222 Meigs Street
Sandusky, Ohio 44870
Email: gpackan@ci.sandusky.oh.us
Phone: (419) 627-5714
Fax: (419) 627-5825

Project Period:

September 1, 2007 – October 30, 2010

Submitted:

July 30, 2007

I. Introduction and Project Overview

Sandusky, Ohio is located in northern Ohio on the edge of Lake Erie between Cleveland and Toledo and serves as the seat of government for Erie County. Sandusky is accessed by Interstate 80/90 and S.R. 2, both providing east-west access south of the City, as well as by US 6, US 250, SR 101 and SR 4 providing east west and north-south corridors through the City. Sandusky Bay borders the northern boundary of the City and Lake Erie is located directly north and east. According to the City's consolidated plan, Sandusky totals about 14.9 square miles (9,536 acres) which includes about 9.1 square miles of land (5,835 acres) and 5.8 square miles of water (3,700 acres). The second largest land use category in Sandusky is vacant brownfields and undeveloped land. Industrial uses also account for 6% of the City (317 acres). According to the City's Consolidated Plan, there are currently 55 acres of vacant industrial buildings, defined as brownfields, in the City. Over the past twenty years, business and land uses increased in the City by 42% and there was a decrease in the amount of industrial acreage by 19.5 percent.

The City of Sandusky will use both of its grants, a \$200,000 grant for the assessment of hazardous substances and a \$200,000 grant for the assessment of petroleum substances, to assess properties and quantify risks to human health and the environment. Sandusky will use U.S. EPA funds to conduct Phase I and II environmental assessments, remedial planning and design and community outreach at brownfield properties that are currently underutilized and abandoned. Funds will help the City determine potential risks to human health and the environment, and plan for cleanup to eliminate these risks and promote sustainable redevelopment. Although the City has a few targeted areas in mind, it will complete a community-wide GIS inventory of all brownfields sites and prioritize them in order to maximize grant resources. Further, the City will use U.S. EPA funds as "seed money" for leveraging additional brownfields grants for assessment, remediation and acquisition.

II. Management and Coordination

Management Structure

The City of Sandusky is able to manage grants and oversee assessment work with internal staff experienced in brownfields activities. The City's Economic Development Specialist and Assistant City Manager will manage the administration and implementation of the grants with support from the City's Engineering and Law Departments and Office of the Mayor. This team has helped to oversee other brownfields projects in the City as indicated on the following page and is experienced in all aspects of brownfields redevelopment, from environmental assessment through remediation and redevelopment. The project management structure for implementation of the grant is as follows:

The City of Sandusky has worked with the Ohio EPA, Ohio Department of Development, U.S. EPA and Ohio Department of Health in previous grant management efforts for brownfield projects. We have worked with Ohio EPA and U.S. EPA to oversee our activities on the previous grants and have participated in its brownfield initiative since 1999. The City utilizes staff in the engineering, planning, health, parks building and legal departments to carry out grants. The Project Manager (Planning Director) has related experience from two previous U.S. EPA grant in procuring and working with consultants, contending with legal access issues, and managing the financial aspects of the grant.

Advisory Groups Supporting Grant Implementation

Sandusky's plan to involve the community in cleanup decisions and reuse planning includes the previously created Sandusky Brownfields Advisory Committee, established in the original U.S. EPA pilot in 1999. The Committee continues to assist and guide City staff in the implementation of the City's Brownfields Program. Those participating will be invited to meet at least once (depending on the duties given to them) to provide guidance in the use of the U.S. EPA grant. The Committee includes local and regional bankers, local community development corporations, master plan participants, regional economic development officials, developers, the Sandusky Community Foundation, an environmental advisory group (representative of Ohio EPA or sub-consultant from an environmental engineering company), industry/property owners (including owners of brownfield properties and a business who is currently going through the remediation process to prepare property for expansion), real estate broker, legal counsel, the City's Planning Director, Law Director, and staff participating in building and code enforcement. This committee will meet regularly at public meetings to discuss guidance on cleanup and reuse decisions. In addition, stakeholders will be notified by mail. All comments will be taken into serious consideration during the planning process.

III. Work Schedule

TASK 1: Engage an Environmental Consultant

The City has systems in place to hire required expertise necessary to implement US EPA funding, and they have available economic development funds to support the acquisition of this expertise. The City will issue and advertise a Request for Qualifications (RFQ) from environmental consultants, evaluate the RFQ's received, and select one prime and one secondary environmental consultant to perform the work. The City will contract directly with the environmental consultant. The City will select one consultant to perform all of the work under the contractual category to be completed under the grant.

All work will be completed under the direction of an Ohio Voluntary Action Program (VAP) Certified Professional and will conform to the standards set forth under the Ohio Voluntary Action Program. The assessment of sites with underground storage tanks present will be conducted using the American Society of Testing and Materials (ASTM) industry accepted protocols and will comply with the regulatory standards of the State of Ohio Department of Commerce, Division of the State Fire Marshall, Bureau of Underground Storage Tank Regulation (BUSTR). All sites selected by the City for assessment under the grant program will be submitted to BUSTR for review and approval before proceeding with the assessment work. As part of this process, an environmental attorney will be selected to prepare site access agreements, review potential liabilities, and other required legal services pursuant to the grant.

Environmental Consultant Selection Process:

Activities	Deliverables	Responsibility	To Be Completed By
Prepare Request for Qualifications (RFQ)	Submit RFQ for USEPA review	City	7 days from Work Plan approval
Advertise RFQ (Public Notice and Send to Interested Parties)	Provide USEPA with copy of published RFQ	City	15 days from USEPA approval of RFQ
Review, Evaluate RFQ's & Select Consultant	None	City	60 days from receipt of RFQ's

Consultant Approved through City Commission Resolution, City Contracts with Consultant	None	City	October '07
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TASK 2: Inventory and Prioritize Sites

The city will select and prioritize sites based on 5 selection criteria that were discussed during the City's Master Plan process, including: 1) sites that qualify for funding; 2) degree and type of contamination; 3) ease of obtaining site control and possible ownership; 4) sites that preserve, secure and enhance existing businesses (i.e. do not force relocation); and 5) public support. The City will work with its existing Brownfield Urban Revitalization Committee, an advisory committee used in the past to assist in the selection of sites consistent with the City Master Plan.

Timeline:

Activities	Deliverables	Responsibility	To Be Completed By
Meet with Brownfields Redevelopment Advisory Committee to Help Prioritize Sites	List of criteria, map and list of prioritized sites	City/Consultant	Ongoing
Finalize Inventory of Brownfields Sites	GIS Inventory/ Database of sites	City/Consultant	Ongoing
Selection of sites and strategy for implementation	None	City	Ongoing; provided with quarterly reports (see Task 7)

TASK 3: Prepare Quality Assurance Project Plan (QAPP)

The City of Sandusky will work with its selected prime and secondary consultant to prepare individual required Quality Assurance Project Plan (QAPP) for both petroleum and hazardous grants and Site-Specific Health and Safety Plans required.

Timeline:

Activities	Deliverables	Responsibility	To Be Completed By
Hold pre-QAPP meeting between consultants and US EPA	Meeting Minutes	City/Consultant	Within two weeks of bid award
Submit Draft QAPP	Draft QAPP forwarded to US EPA	Consultant	30 days from Pre-QAPP meeting
Submit Final QAPP	Final QAPP forwarded to US EPA	Consultant	15 days after comments received from EPA

Task 4: Conduct Phase I Environmental Assessments, Complete Site Sampling Plans and Phase II Environmental Site Assessments

It is estimated that, based on the prioritization of sites, the Consultant will conduct 6 to 8 Phase I Environmental Assessments under each grant (6-8 under Petroleum Assessment and 6 to 8 under Hazardous Assessment – rough estimates based on site prioritization, size and cost) on selected properties. These assessments, depending on the site of the property, may range from \$5,500 to \$8,000 each or higher. These assessments may include necessary activities including, but not limited to: title searches, property appraisals, detailed surveys, and increased code enforcement activities. If necessary, all grants will be conducted under the standards of the Ohio EPA's Voluntary Action Program (VAP) using State of Ohio Certified Environmental Professionals. Assessments will comply with the ASTM 1527-05 All Appropriate Inquiry standard as required by U.S. EPA. All Petroleum Environmental Assessments involving underground storage tanks will be conducted using American Society of Testing and Materials (ASTM) industry accepted protocol, meet the ASTM 1527-05 standard as well, and adhere to the regulatory standards of the State of Ohio's Department of Commerce, Division of State Fire Marshall, and Bureau of Underground Storage Tank Regulation (BUSTR). The designated environmental firm will be knowledgeable and proficient in conducting either Hazardous Substances or Petroleum Assessments.

Sandusky will conduct 1 to 3 (1 to 3 each grant, both petroleum and hazardous, or a total of 3 to 6) Site Sampling and Analysis Plans and Ohio Voluntary Action Program and or ASTM compliant Phase II Environmental Assessments, which will range from \$25,000 to \$80,000 each or higher, depending on the size and complexity of the property. Phase II site assessments may include magnetometer surveys, trenching to confirm anomalies, and soil and groundwater sampling. Phase II Assessments for petroleum may also include physical tank removal and other physical work as required in such an assessment. The City understands that securing

additional funding for assessments is necessary based on the amount of properties desired to be assessed and the limited budget. The City will seek additional funding for environmental assessments from the Clean Ohio Assistance to supplement the Phase II task.

Timeline:

Activities	Deliverables	Responsibility	To Be Completed By
Select sites	Target Sites (Need a Phase I, a Sampling Plan before conducting Phase II, and eligibility determination before Phase II)	City/Consultant	Ongoing
Send EPA Project Manager and/or BUSTR Manager Information about Properties as they are selected for Property Specific Eligibility Determination.	Completed Property Specific Eligibility Determination Questionnaire for each individual property targeted for Phase I or II work	Consultant	Ongoing
Conduct Phase I ESA	Consultant begins Phase I environmental site assessments	City/Consultant	30 days after EPA/BUSTR approval
Prepare Site Sampling Plans for Phase II ESA's	Submitted to U.S. EPA for approval prior to sampling	City/Consultant	Ongoing
Prepare Phase II Report	Phase II Report finalized	Consultant	Ongoing
Phase II Completed	Submit copy of completed Phase II to US EPA with quarterly reports	City	Ongoing

Task 5: Remedial Planning and Design

The City of Sandusky and its consultant will author 1-2 Remedial Action Project Plans (each grant for a total of 2-4). These plans will be used to help procure additional funding for cleanup and remediation costs that may be needed. The RAPS will be included in grant applications to the Clean Ohio Revitalization Fund, which provides up to \$3,000,000 per project for demolition and cleanup when a development partner commits to the end use of the property.

Timeline:

Activities	Deliverables	Responsibility	To Be Completed By
Conduct remedial planning for sites with completed Phase II assessments	Submit remedial plan to US EPA for approval	Consultant	Ongoing
Apply for Clean Ohio Revitalization Fund or Clean Ohio Assistance Fund Grant Funds	Grant Application	City/Consultant	Ongoing

Task 6: Community Outreach & Training

The City intends to conduct public meetings at the end of major milestones in the project, including: 1) a kick-off meeting for the inception of the project; 2) a single public meeting upon the completion of multiple Phase I activities; 3) the completion of Phase II activities; 4) during reuse planning and the development of Remedial Action Plans to be used in Clean Ohio Assistance Fund or Clean Ohio Revitalization Fund activities. Brochures and fact sheets will also be developed and distributed to the community in with utility bills. A segment of the City's website will also be developed to provide an overview of the City's brownfield program and post updates when quarterly reports are filed with US EPA on the success of the project. City staff, with assistance from the Consultant, will conduct this work. The city may contract with a public relations firm to provide promotional information materials in support of the project and encouraging community participation. The City also intends on traveling to Brownfield related trainings, workshops, seminars and conferences throughout the Grant period.

Timeline:

Activities	Deliverables	Responsibility	To Be Completed By
Kick-Off Public Meeting to discuss grant	Determine date and copy of presentation	City/Consultant	Prior to City Signing Cooperative Agreement as required. Likely August 2007
Determine communication needs on a site-by-site basis	Determined on a site-by-site basis	City	Ongoing
Pre Phase II activity	Inform community of planned activity. Provide meeting minutes, published ad, meeting agenda, etc. to the US EPA, (meetings will be planned based on the complexity of projects and need for involvement based on potential funding opportunities).	City/Consultant	Ongoing

Attend EPA brown-field workshop	None	City	As available
Attend ICMA Brownfields 2008 Conference	None	City	As available

Task 7: Quarterly Reporting and Annual Financial Reporting to US EPA

The City will submit four (4) quarterly reports per the Federal fiscal year to the assigned EPA Project Officer. Quarterly Reports are due thirty (30) days after the end of the quarter. The Quarterly Report will include: a cover letter, a title information page, an update on the program processes and activities for the quarter, updates of site prioritization (if applicable), a schedule summary, and a budget summary.

Timeline:

Activities	Deliverables	Responsibility	To Be Completed By
Prepare Quarterly Reports	Quarterly Report received by US EPA Project Officer and completed 9130.13 form.	City	30 days from end of Federal Fiscal Quarter: January 30, April 30, July 30, & October 30
Annual Financial Report	One year from Cooperative Agreement start date	City	Annually

IV. Budget

The bulk of the grant dollars will be spent on Phase I and II assessments to address hazardous substances or petroleum substances and to complete remedial planning and design. This may include legal services to prepare site access agreements, review potential liabilities, and other required legal services pursuant to the grant.

Petroleum Assessment Grant Budget								
Budget Categories	Task 1: Select Environmental Consultant	Task 2: Inventory and Prioritize Sites, Conduct Site Eligibility	Task 3: Quality Assurance Project Plan	Task 4: Complete 6-8 Phase I ESA's, Site-Specific Sampling Plans and (1-2) Phase II ESA's	Task 5: Remedial Planning and Design (1-2)	Task 6: Community Outreach & Training	Task 7: Quarterly & Annual Financial Reporting	Total
Personnel								
Travel						2,000		
Equipment		2,000						
Supplies						2,000		
Contractual		2,000	5,000	155,000	28,000	3,000	1,000	
Other								
Total		4,000	5,000	155,000	28,000	7,000	1,000	200,000


Hazardous Assessment Grant Budget								
Budget Categories	Task 1: Select Environmental Consultant	Task 2: Inventory and Prioritize Sites, Conduct Site Eligibility	Task 3: Quality Assurance Project Plan	Task 4: Complete 6-8 Phase I ESA's, Site-Specific Sampling Plans and (1-2) Phase II ESA's	Task 5: Remedial Planning and Design (1-2 RAPS)	Task 6: Community Outreach & Training	Task 7: Quarterly & Annual Financial Reporting	Total
Personnel								
Travel						2,000		
Equipment		2,000						
Supplies						2,000		
Contractual		2,000	5,000	155,000	28,000	3,000	1,000	
Other								
Total		4,000	5,000	155,000	28,000	7,000	1,000	200,000

Hazardous Substances Assessment Grant Environmental Results Table

Stated Objective/ Link to EPA Strategic Plan	Grant Funding	Work Plan Activities & Timeframe for Accomplishment (Commitments)	Results of Activities (outputs)	Projected Environmental Improvement (outcome)	Established Baseline for Measurement
<p>Assessment Grant Section 104(k)</p> <p>Goal 4 Healthy Communities & Ecosystems</p> <p>Subobjective 4.2.3 Assess and Cleanup Brownfields</p>	\$200,000 Hazardous Substance	<p>Within grant period, City will create a GIS inventory of brownfields, assess 6-8 properties with suspected contamination and prepare a Remedial Action Plan for 3-6 properties by the end of the grant period Sept. 2007.</p>	<p>6-8 Phase I Assessment Reports;</p> <p>1-3 Phase II Assessment Reports</p> <p>1-2 Remedial Action Plan Reports;</p> <p>6-8 Property Profile Forms (updated periodically); QAPP, HSP, Site Specific sampling plan(s)</p> <p>Conduct 4 public meetings</p>	<p>6-8 properties assessed and 1-2 remedial action plans developed</p> <p>15 acres assessed</p> <p>8 jobs created</p> <p>\$1,000,000 cleanup/redevelopment funds leveraged</p> <p>Informed community on brownfields issues</p>	<p>6-8 assessments completed,</p> <p>15 acres assessed</p> <p>8 jobs created</p> <p>\$1,000,000 in cleanup/redevelopment funds leveraged</p>

Petroleum Substances Assessment Grant Environmental Results Table

Stated Objective/ Link to EPA Strategic Plan	Grant Funding	Work Plan Activities & Timeframe for Accomplishment (Commitments)	Results of Activities (outputs)	Projected Environmental Improvement (outcome)	Established Baseline for Measurement
<p>Assessment Grant Section 104(k)</p> <p>Goal 4 Healthy Communities & Ecosystems</p> <p>Subobjective 4.2.3 Assess and Cleanup Brownfields</p>	\$200,000 Petroleum Substance	Within grant period, City will create a GIS inventory of brownfields, assess 6-8 properties with suspected contamination and prepare a Remedial Action Plan for 3-6 properties by the end of the grant period Sept. 2007.	<p>6-8 Phase I Assessment Reports;</p> <p>1-3 Phase II Assessment Reports</p> <p>1-2 Remedial Action Plan Reports;</p> <p>6-8 Property Profile Forms (updated periodically); QAPP, HSP, Site Specific sampling plan(s)</p> <p>Conduct 4 public meetings</p>	<p>6-8 properties assessed and 1-2 remedial action plans developed</p> <p>15 acres assessed</p> <p>8 jobs created</p> <p>\$1,000,000 cleanup/redevelopment funds leveraged</p> <p>Informed community on brownfields issues</p>	<p>6-8 assessments completed,</p> <p>15 acres assessed</p> <p>8 jobs created</p> <p>\$1,000,000 in cleanup/redevelopment funds leveraged</p>

	U.S. ENVIRONMENTAL PROTECTION AGENCY Cooperative Agreement		ASSISTANCE ID NO.			DATE OF AWARD 09/21/2007
			PRG	DOC ID	AMEND#	
			BF -	00E43501	- 0	
			TYPE OF ACTION New			
RECIPIENT TYPE: Municipal			Send Payment Request to: Las Vegas Finance Center			MAILING DATE 09/28/2007
RECIPIENT:			PAYEE:			ACH# 3998572
City of Sandusky Ohio 222 Meigs Street Sandusky, OH 44870 EIN: 34-6401311			City of Sandusky 222 Meigs Street Sandusky, OH 44870			
PROJECT MANAGER		EPA PROJECT OFFICER		EPA GRANT SPECIALIST		
Scott Schell 222 Meigs Street Sandusky, OH 44870 E-Mail: sschell@ci.sandusky.oh.us Phone: 419-627-5827		Meonii Bristol 77 West Jackson Blvd., SM-5J Chicago, IL 60604-3507 E-Mail: Bristol.Meonii@epa.gov Phone: 312-353-4716		Marco Santos Assistance Section, MC-10J E-Mail: Santos.Marco@epa.gov Phone: 312-353-3490		
PROJECT TITLE AND DESCRIPTION Brownfields Hazardous/Petroleum Substances Assessment Cooperative Agreement This brownfields cooperative agreement will enable the City of Sandusky to conduct community-wide assessment activities on sites contaminated by hazardous and petroleum substances. The funds will be used to conduct Phase I and Phase II environmental assessments, remedial planning and design, and perform community outreach at brownfield properties that are currently underutilized and abandoned. This agreement will help the City determine environmental risks and promote sustainable redevelopment.						
BUDGET PERIOD 10/01/2007 - 09/30/2010		PROJECT PERIOD 10/01/2007 - 09/30/2010		TOTAL BUDGET PERIOD COST \$400,000.00		TOTAL PROJECT PERIOD COST \$400,000.00
NOTICE OF AWARD Based on your application dated 08/02/2007, including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA), hereby awards \$400,000. EPA agrees to cost-share 100.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$400,000. Such award may be terminated by EPA without further cause if the recipient fails to provide timely affirmation of the award by signing under the Affirmation of Award section and returning all pages of this agreement to the Grants Management Office listed below within 21 days after receipt, or any extension of time, as may be granted by EPA. This agreement is subject to applicable EPA statutory provisions. The applicable regulatory provisions are 40 CFR Chapter 1, Subchapter B, and all terms and conditions of this agreement and any attachments.						
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)				AWARD APPROVAL OFFICE		
ORGANIZATION / ADDRESS				ORGANIZATION / ADDRESS		
U.S. EPA Region 5 Mail Code MCG10J 77 West Jackson Blvd. Chicago, IL 60604-3507				U.S. EPA, Region 5 Superfund Division 77 West Jackson Blvd., S-6J Chicago, IL 60604-3507		
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY						
SIGNATURE OF AWARD OFFICIAL Digital signature applied by EPA Award Official		TYPED NAME AND TITLE Walter W. Kovalick, Jr., Ph.D., Assistant Regional Administrator for Resources Management			DATE 09/21/2007	
AFFIRMATION OF AWARD						
BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION						
SIGNATURE <i>James L. Miears</i>		TYPED NAME AND TITLE James L. Miears, Interim City Manager			DATE 10/5/07	

ACQUISITION & RECORDS MANAGEMENT

OCT 11 PM 12:28

ENVIRONMENTAL PROTECTION AGENCY

APR 10/15/07

BF - 00E43501 - 0 Page 2

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$	\$ 400,000	\$ 400,000
EPA In-Kind Amount	\$	\$	\$ 0
Unexpended Prior Year Balance	\$	\$	\$ 0
Other Federal Funds	\$	\$	\$ 0
Recipient Contribution	\$	\$	\$ 0
State Contribution	\$	\$	\$ 0
Local Contribution	\$	\$	\$ 0
Other Contribution	\$	\$	\$ 0
Allowable Project Cost	\$ 0	\$ 400,000	\$ 400,000

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.818 - Brownfields Assessment and Cleanup Cooperative Agreements	CERCLA: Sec. 101(39) CERCLA: Sec. 104(k)(2)	40 CFR PART 31

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
SANDUSKY	0705STX054	07	E4	0500AG7	402D79EBP	4114	G5BBOR00		200,000
SANDUSKY	0705STX054	07	E4	0500AG7	402D79E	4114	G5BBNY00		200,000
									400,000

Budget Summary Page: Brownfields Assessment Budget

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$0
2. Fringe Benefits	\$0
3. Travel	\$4,000
4. Equipment	\$0
5. Supplies	\$8,000
6. Contractual	\$388,000
7. Construction	\$0
8. Other	\$0
9. Total Direct Charges	\$400,000
10. Indirect Costs: % Base	\$0
11. Total (Share: Recipient <u>0.00</u> % Federal <u>100.00</u> %.)	\$400,000
12. Total Approved Assistance Amount	\$400,000
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$400,000
15. Total EPA Amount Awarded To Date	\$400,000

Administrative Conditions

1. CONSULTANT CAP

Payment to consultants. EPA participation in the salary rate (excluding overhead) paid to individual consultants retained by recipients or by a recipient's contractors or subcontractors shall be limited to the maximum daily rate for a Level IV of the Executive Schedule (formerly GS-18), to be adjusted annually. This limit applies to consultation services of designated individuals with specialized skills who are paid at a daily or hourly rate. As of January 1, 2007, the limit is \$557.28 per day and \$69.66 per hour. This rate does not include transportation and subsistence costs for travel performed (the recipient will pay these in accordance with their normal travel reimbursement practices).

Subagreements with firms for services which are awarded using the procurement requirements in 40 CFR 30 or 31, as applicable, are not affected by this limitation unless the terms of the contract provided the recipient with responsibility for the selection, direction, and control of the individuals who will be providing services under the contract at an hourly or daily rate of compensation. See 40 CFR 31.36(j) or 30.27(b).

2. COPYRIGHTED MATERIAL

In accordance with 40 CFR 31.34 for State, local and Indian Tribal governments or 40 CFR 30.36 for other recipients, EPA has the right to reproduce, publish, use, and authorize others to use copyrighted works or other data developed under this assistance agreement for Federal purposes.

Examples of a Federal purpose include but are not limited to: (1) Use by EPA and other Federal employees for official Government purposes; (2) Use by Federal contractors performing specific tasks for the Government; (3) Publication in EPA documents provided the document does not disclose trade secrets (e.g. software codes) and the work is properly attributed to the recipient through citation or otherwise; (4) Reproduction of documents for inclusion in Federal depositories; (5) Use by State, tribal and local governments that carry out delegated Federal environmental programs as "co-regulators" or act as official partners with EPA to carry out a national environmental program within their jurisdiction and; (6) Limited use by other grantees to carry out Federal grants provided the use is consistent with the terms of EPA's authorization to the other grantee to use the copyrighted works or other data.

Under Item 6, the grantee acknowledges that EPA may authorize another grantee(s) to use the copyrighted works or other data developed under this grant as a result of:

- a. the selection of another grantee by EPA to perform a project that will involve the use of the copyrighted works or other data or;
- b. termination or expiration of this agreement.

In addition, EPA may authorize another grantee to use copyrighted works or other data developed with Agency funds provided under this grant to perform another grant when such use promotes efficient and effective use of Federal grant funds.

3. DEBARMENT AND SUSPENSION

Recipient shall fully comply with Subpart C of 2 CFR Part 180 and 2 CFR Part 1532, entitled "Responsibilities of Participants Regarding Transactions (Doing Business with Other Persons)." Recipient is responsible for ensuring that any lower tier covered transaction as described in Subpart B of 2 CFR Part 180 and 2 CFR Part 1532, entitled "Covered Transactions," includes a term or condition requiring compliance with Subpart C. Recipient is responsible for further requiring the inclusion of a similar term or condition in any subsequent lower tier covered transactions. Recipient acknowledges that failing to disclose the information as required at 2 CFR 180.335 may result in the delay or negation of this assistance agreement, or pursuance of legal remedies, including suspension and debarment.

Recipient may access the Excluded Parties List System at www.epls.gov. This term and condition supersedes EPA Form 5700-49, "Certification Regarding Debarment, Suspension, and Other Responsibility Matters."

4. DRUG-FREE WORKPLACE CERTIFICATION

The recipient organization of this EPA assistance agreement must make an ongoing, good faith effort to maintain a drug-free workplace pursuant to the specific requirements set forth in Title 40 CFR 36.200 - 36.230. Additionally, in accordance with these regulations, the recipient organization must identify all known workplaces under its federal awards, and keep this information on file during the performance of the award.

Those recipients who are individuals must comply with the drug-free provisions set forth in Title 40 CFR 36.300.

The consequences for violating this condition are detailed under Title 40 CFR 36.510. Recipients can access the Code of Federal Regulations (CFR) Title 40 Part 36 at http://www.access.gpo.gov/nara/cfr/waisidx_06/40cfr36_06.html.

5. FEDERAL CASH TRANSACTION REPORT

The SF272 report is due within 15 working days following December 31 of any given calendar year. This form must be submitted to: **U.S. EPA, LVFC, P.O. Box 98515, Las Vegas, NV 89193-8515**. For more information contact: Richard Sherburne, LVFC at 702-798-2494.

6. HOTEL-MOTEL FIRE SAFETY

Pursuant to 40 CFR 30.18, if applicable, and 15 USC 2225a, the recipient agrees to ensure that all space for conferences, meetings, conventions, or training seminars funded in whole or in part with federal funds complies with the protection and control guidelines of the Hotel and Motel Fire Safety Act (PL 101-391, as amended). Recipients may search the Hotel-Motel National Master List at <http://www.usfa.dhs.gov/applications/hotel/> to see if a property is in compliance (FEMA ID is currently not required), or to find other information about the Act.

7. LOBBYING AND LITIGATION

In accordance with OMB Circular A-21, A-87, or A-122, as appropriate, the recipient agrees that it will not use project funds, including the Federal and non-Federal share, to engage in lobbying the Federal Government or in litigation against the United States. The recipient also agrees to provide the EPA Form 5700-53, Lobbying and Litigation Certificate as mandated by EPA's annual appropriations act. A chief executive officer of any entity receiving funds under this Act shall certify that none of these funds have been used to engage in the lobbying of the Federal Government or in litigation against the United States unless authorized under existing law. The certification must be submitted in accordance with the instructions provided by the EPA award official and is due 90 days after the end of the project period.

8. MANAGEMENT FEES

Management fees or similar charges in excess of the direct costs and approved indirect rates are not allowable. The term "management fees or similar charges" refers to expenses added to the direct costs in order to accumulate and reserve funds for ongoing business expenses, unforeseen liabilities, or for other similar costs which are not allowable under this assistance agreement. Management fees or similar charges may not be used to improve or expand the project funded under this agreement, except to the extent authorized as a direct cost of carrying out the scope of work.

9. MBE/WBE REQUIREMENTS

In accordance with EPA's Program for Utilization of Small, Minority and Women's Business Enterprises in procurement under assistance programs, the recipient agrees to:

a) Accept the applicable FY 2007 "fair share" goals negotiated with EPA by the Ohio Environmental Protection Agency as follows:

MBE		WBE	
Construction	2.3%	Construction	6.2%
Supplies	2.5%	Supplies	11.0%
Services	2.5%	Services	11.0%
Equipment	2.5%	Equipment	11.0%

If the recipient does not want to rely on applicable Ohio Environmental Protection Agency's MBE/WBE goals, the recipient agrees to submit proposed MBE/WBE goals based on availability of qualified minority and women-owned businesses to do work in relevant market for construction, services, supplies and equipment. "Fair share" objectives must be submitted the MBE Coordinator within 30 days of award and approved by EPA no later than 30 days thereafter.

b) Ensure to the fullest extent possible that at least the FY 2007 "fair share" objective [see a) above] of Federal funds for prime contractors or subcontracts for supplies, construction, equipment or services are made available to organizations owned or controlled by socially and economically disadvantaged individuals, women and historically black colleges and universities.

c) Include in bid documents "fair share" objectives of 2007 fair share percentage [see a) above] and require all of its contractors to include in their bid documents for subcontracts the negotiated fair share percentages.

d) Follow the six affirmative steps stated in 40 CFR 30.44(b) 40 CFR 31.36(e), 35.3145(d), or 35.6580, as appropriate.

e) The recipient agrees to submit an EPA form 5700-52A "MBE/WBE Utilization Under Federal Grants, Cooperative Agreements and Interagency Agreements" beginning with the Federal fiscal year quarter the recipient receives the award and continuing until the project is completed. These reports must be submitted to Adrienne M. Callahan, MBE Coordinator within 30 days of the end of the Federal fiscal quarter (January 30, April 30, July 30, and October 30). For assistance awards for continuing environmental programs (40 CFR Part 35, Subpart B) and assistance awards with institutions of higher education, hospitals and other non-profit organizations, the recipient agrees to submit an EPA form 5700-52A to Adrienne M. Callahan, MBE Coordinator by October 30 of each year. (Reporting form available at www.epa.gov/osdbu.) Submit reports to:

**Adrienne M. Callahan, Region 5 MBE/WBE Coordinator
US EPA--Acquisition and Assistance Branch
77 West Jackson Boulevard, MC-10J
Chicago, IL 60604**

f) In the event race and/or gender neutral efforts prove to be inadequate to achieve a fair share objective for MBE/WBEs, the recipient agrees to notify EPA in advance of any race and/or gender conscious action it plans to take to more closely achieve the fair share objective.

g) Until the recipient has completed its fair share negotiations with EPA, it agrees to maintain state Agency's fair share objectives. Once the recipient has completed its fair share negotiations with EPA, it will apply those objectives. The recipient also agrees to include in its bid documents the applicable FY 2007 "fair share" objectives and require all of its prime contractors to include in their bid documents for

subcontracts the applicable FY 2007 "fair share" percentages and to comply with paragraphs (c) through (e) above.

EPA may take correction action under 40 CFR Parts 30, 31 and 35, as appropriate, if the recipient fails to comply with these terms and conditions.

For further information, please contact Adrienne Callahan at 312-353-5556, email: Callahan.Adrienne@epa.gov

10. MULTI-YEAR GRANT - INTERIM FINANCIAL STATUS REPORTS

An interim Financial Status Report – also called the SF269 - must be submitted annually within 90 days following the end of each 12-month period. All interim FSRs must be submitted to the EPA Grants Specialist as identified on page one of this Assistance Agreement.

11. NATIONAL HISTORIC PRESERVATION ACT

Prior to conducting or engaging in any on-site activity with the potential to impact historic properties (such as invasive sampling or cleanup), the grantee shall consult with EPA regarding potential applicability of the National Historic Preservation Act and, if applicable shall assist EPA in complying with any requirements of the Act and implementing regulations.

12. PROCUREMENT OF RECYCLED PRODUCTS

Any State agency or agency of a political subdivision of a State which is using appropriated Federal funds shall comply with the requirements set forth in Section 6002 of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. 6962). Regulations issued under RCRA Section 6002 apply to any acquisition of an item where the purchase price exceeds \$10,000 or where the quantity of such items acquired in the course of the preceding fiscal year was \$10,000 or more. RCRA Section 6002 requires that preference be given in procurement programs to the purchase of specific products containing recycled materials identified in guidelines developed by EPA. These guidelines are listed in 40 CFR 247.

13. RECYCLED PAPER

In accordance with EPA Order 1000.25 and Executive Order 13101, *Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition*, the recipient agrees to use recycled paper for all reports which are prepared as a part of this agreement and delivered to EPA. This requirement does not apply to reports prepared on forms supplied by EPA, or to Standard Forms, which are printed on recycled paper and are available through the General Services Administration. Please note that Section 901 of E.O. 13101, dated September 14, 1998, revoked E.O. 12873, *Federal Acquisition, Recycling, and Waste Prevention* in its entirety.

14. SMALL BUSINESS IN RURAL AREAS

By accepting this agreement, the recipient agrees to comply with Section 129 of Public Law 100-590, the Small Business Administration Reauthorization and Amendment Act of 1988. Therefore, if the recipient awards a contract under this assistance agreement, it will utilize the following affirmative steps relative to Small Business in Rural Areas (SBRAs):

- a. Placing SBRAs on solicitation lists;
- b. Ensuring that SBRAs are solicited whenever they are potential sources;
- c. Dividing total requirements when economically feasible, into small tasks or quantities to permit maximum participation by SBRAs;
- d. Establishing delivery schedules, where the requirements of work will permit, which would encourage participation by SBRAs;
- e. Using the services of the Small Business Administration and the Minority Business Development

Agency of the U.S. Department of Commerce, as appropriate; and

- f. Requiring the contractor, if it awards subcontracts, to take the affirmative steps in subparagraphs a. through e. of this condition.

15. SUBAWARDS

a. The recipient agrees to:

- (1) Establish all subaward agreements in writing;
- (2) Maintain primary responsibility for ensuring successful completion of the EPA-approved project (this responsibility cannot be delegated or transferred to a subrecipient);
- (3) Ensure that any subawards comply with the standards in Section 210(a)-(d) of OMB Circular A-133 and are not used to acquire commercial goods or services for the recipient;
- (4) Ensure that any subawards are awarded to eligible subrecipients and that proposed subaward costs are necessary, reasonable, and allocable;
- (5) Ensure that any subawards to 501(c)(4) organizations do not involve lobbying activities;
- (6) Monitor the performance of their recipients and ensure that they comply with all applicable regulations, statutes, and terms and conditions which flow down in the subaward;
- (7) Obtain EPA's consent before making a subaward to a foreign or international organization, or a subaward to be performed in a foreign country; and
- (8) Obtain approval from EPA for any new subaward work that is not outlined in the approved work plan in accordance with 40 CFR Parts 30.25 and 31.30, as applicable.

b. Any questions about subrecipient eligibility or other issues pertaining to subawards should be addressed to the recipient's EPA Project Officer. Additional information regarding subawards may be found at <http://www.epa.gov/ogd/guide/subaward-policy-part-2.pdf>. Guidance for distinguishing between vendor and subrecipient relationships and ensuring compliance with Section 210(a)-(d) of OMB Circular A-133 can be found at <http://www.epa.gov/ogd/guide/subawards-appendix-b.pdf> and <http://www.whitehouse.gov/omb/circulars/a133/a133.html>

c. The recipient is responsible for selecting its subrecipients and, if applicable, for conducting subaward competitions.

16. UNLIQUIDATED OBLIGATIONS TERM AND CONDITION: PART 31

Pursuant to 40 CFR 31.41(b) and 31.50(b), EPA recipients shall submit a final Financial Status Report - also called the SF269 - to EPA's Las Vegas Finance Center (LVFC), within ninety (90) days after the expiration of the budget period end date. Completed SF269s must be faxed to 702-798-2423 or mailed to the following address: USEPA LVFC, P.O. Box 98515, Las Vegas, NV 89193-8515. The LVFC will make adjustments, as necessary, to obligated funds after reviewing and accepting a final Financial Status Report. Recipients will be notified and instructed by EPA if they must complete any additional forms for the closeout of the assistance agreement.

EPA may take enforcement actions in accordance with 40 CFR 31.43 if the recipient does not comply with this term and condition.

Programmatic Conditions

1. ENVIRONMENTAL RESULTS - RECIPIENT PERFORMANCE REPORTING

Recipients subject to 40 C.F.R. Part 31 (other than recipients of State or Tribal Program grants under 40 C.F.R. Parts 35 Subparts A or B)

Performance Reports:

In accordance with 40 C.F.R. §31.40, the recipient agrees to submit performance reports that include brief information on each of the following areas: 1) a comparison of actual accomplishments to the outputs/outcomes established in the assistance agreement workplan for the period; 2) the reasons for slippage if established outputs/outcomes were not met; and 3) additional pertinent information, including, when appropriate, analysis and information of cost overruns or high unit costs.

In accordance with 40 C.F.R. § 31.40 (d), the recipient agrees to inform EPA as soon as problems, delays or adverse conditions become known which will materially impair the ability to meet the outputs/outcomes specified in the assistance agreement work plan.

Brownfields Assessment Grant Terms and Conditions

Please note that these Terms and Conditions (T&Cs) apply to brownfields grants under CERCLA 104(k) and do not apply to pre-FY 2003 grants subject to 104(d).

I. GENERAL FEDERAL REQUIREMENTS

NOTE: For the purposes of these Terms and Conditions the term "assessment" includes, eligible activities under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) 104(k)(2)(A)(i) such as activities involving the inventory, characterization, assessment, and planning relating to brownfield sites as described in the EPA approved work plan.

A. Federal Policy and Guidance

1. a. Cooperative Agreement Recipients: In implementing this agreement, the cooperative agreement recipient (CAR) shall insure that work done with cooperative agreement funds complies with the requirements of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) 104(k). The CAR shall also ensure that assessment activities supported with cooperative agreement funding comply with all applicable Federal and State laws and regulations.
- b. CERCLA 104(g) requires that recipients comply with the prevailing wage rate requirements under the Davis-Bacon Act of 1931 for construction, repair or alteration contracts "funded in whole or in part" with funds provided under this agreement. If the CAR uses funds awarded under this agreement to contract for construction, repair or alteration work, it must obtain recent and applicable wage rates from the U.S. Department of Labor and incorporate them into the construction, alteration or repair contract.
- c. The recipient agrees to comply with Executive Order 13202 (Feb. 22, 2001, 66 Fed. Reg. 11225) of February 17, 2001, entitled "Preservation of Open Competition and Government Neutrality Towards Government Contractors' Labor Relations on Federal and Federally Funded Construction Projects," as amended by Executive Order 13208 (April 11, 2001, 66 Fed. Reg. 18717) of April 6, 2001, entitled "Amendment to Executive Order 13202, Preservation of Open Competition and Government Neutrality Towards Government Contractors' Labor Relations on Federal and Federally Funded Construction Projects.
- d. The recipient must comply with Federal cross-cutting requirements. These requirements include but are not limited to, MBE/WBE requirements found at 40 CFR 31.36(e) or 40 CFR 30.44(b); OSHA Worker Health & Safety Standard 29 CFR 1910.120; the Uniform Relocation Act; National Historic Preservation Act; Endangered Species Act; and Permits required by Section 404 of the Clean Water Act; Executive Order 11246, Equal Employment Opportunity, and implementing regulations at 41 CFR 60-4; Contract Work Hours and Safety Standards Act, as amended (40 USC 327-333) the Anti Kickback Act (40 USC 276c) and Section 504 of the Rehabilitation Act of 1973 as implemented by Executive Orders 11914 and 11250.

B. Eligible Brownfields Site Determinations

1.
 - a. The CAR must provide information to EPA about site-specific work prior to incurring any costs under this cooperative agreement for sites that have not already been pre-approved in the CAR's work plan by the EPA. The information that must be provided includes whether or not the site meets the definition of a brownfield site as defined in §101(39) of CERCLA, the identity of the owner, and the date of acquisition.
 - b. If the site is excluded from the general definition of a brownfield, but is eligible for a property-specific funding determination, then the CAR must provide information sufficient for EPA to make a property-specific funding determination. The CAR must provide sufficient information on how financial assistance will protect human health and the environment, and either promote economic development or enable the creation of, preservation of, or addition to parks, greenways, undeveloped property, other recreational property, or other property used for nonprofit purposes. The CAR must not incur costs for assessing sites requiring a property-specific funding determination by EPA until the EPA Project Officer has advised the CAR that the Agency has determined that the property is eligible.
2.
 - a. For any petroleum contaminated brownfield site that is not included in the CAR's EPA approved work plan, the CAR shall provide sufficient documentation to the EPA prior to incurring costs under this cooperative agreement which includes (see the latest version of EPA's *Proposal Guidelines for Brownfields Assessment, Revolving Loan Fund and Cleanup Grants* for discussion of this element):
 - (1) that a State has determined that the petroleum site is of relatively low risk, as compared to other petroleum-only sites in the State,
 - (2) that the State determines there is "no viable responsible party" for the site;
 - (3) that the State determines that the person assessing or investigating the site is a person who is not potentially liable for cleaning up the site; and
 - (4) that the site is not subject to any order issued under section 9003(h) of the Solid Waste Disposal Act. This documentation must be prepared by the CAR or the State following contact and discussion with the appropriate petroleum program official.
 - b. Documentation must include the identity of the State program official contacted, the State official's telephone number, the date of the contact, and a summary of the discussion relating to the state's determination that the site is of relatively low risk, that there is no viable responsible party and that the person assessing or investigating the site is a person who is not potentially liable for cleaning up the site. Other documentation provided by a State to the recipient relevant to any of the determinations by the State must also be provided to the EPA Project Officer.
 - c. If the State chooses not to make the determinations described in 2.a. above, the CAR must contact the EPA Project Officer and provide the information necessary for EPA to make the requisite determinations.
 - d. EPA must also make all determinations on the eligibility of petroleum contaminated brownfield sites located on Indian tribal lands. Prior to incurring costs for these sites, the CAR must contact the EPA Project Officer and provide the information necessary for EPA to make the determinations described in 2.a. above.

II. GENERAL COOPERATIVE AGREEMENT ADMINISTRATIVE REQUIREMENTS

A. Term of the Agreement

1. The term of this agreement is three years from the date of award, unless otherwise extended by EPA at the CAR's request.
2. If after 1½ years from the date of award, EPA determines that the CAR has not made sufficient progress in implementing its cooperative agreement, the Agency may terminate this agreement.
3. Assessment funding for any eligible brownfield site may not exceed \$200,000 unless a waiver has been granted by EPA and then funding is not to exceed \$350,000 at the site subject to the waiver.

B. Substantial Involvement

1. The U.S. EPA may be substantially involved in overseeing and monitoring this cooperative agreement.
 - a. Substantial involvement by the U.S. EPA generally includes administrative activities such as: monitoring; review of project phases; and approval of substantive terms included in professional services contracts.
 - b. Substantial EPA involvement also includes brownfields property-specific funding determinations described in I.B. under *Eligible Brownfields Site Determinations* above. If the CAR awards a subgrant for site assessment, the CAR must obtain technical assistance from EPA on which sites qualify as a brownfield site and determining whether the statutory prohibition found in section 104(k)(4)(B)(i)(IV) of CERCLA applies. This prohibition precludes the subgrantee from using EPA funds to assess a site for which the subgrantee is potentially liable under §107 of CERCLA.
 - c. Substantial EPA involvement may include reviewing financial and environmental status reports; and monitoring all reporting, record-keeping, and other program requirements.
 - d. EPA may waive any of the provisions in term and condition II.B.1., with the exception of property-specific funding determinations. EPA will provide waivers in writing.
2. Effect of EPA's substantial involvement includes:
 - a. EPA's review of any project phase, document, or cost incurred under this cooperative agreement, will not have any effect upon CERCLA §128 *Eligible Response Site* determinations or for rights, authorities, and actions under CERCLA or any Federal statute.
 - b. The CAR remains responsible for ensuring that all assessments are protective of human health and the environment and comply with all applicable Federal and State laws.
 - c. The CAR and its subgrantees remain responsible for incurring costs that are allowable under the applicable OMB Circulars.

C. Cooperative Agreement Recipient Roles and Responsibilities

1. The CAR must acquire the services of a qualified environmental professional(s) to coordinate,

direct, and oversee the brownfields assessment activities at a particular site, if they do not have such a professional on staff.

2. The CAR is responsible for ensuring that contractors and subgrant recipients comply with the terms of their agreements with the CAR, and that agreements between the CAR and subgrant recipients and contractors are consistent with the terms and conditions of this agreement.
3. Subgrants are defined at 40 CFR 31.3. The CAR may not subgrant to for-profit organizations. The CAR must obtain commercial services and products necessary to carry out this agreement under competitive procurement procedures as described in 40 CFR 31.36. In addition, EPA policy encourages awarding subgrants competitively and the CAR must consider awarding subgrants through competition.
4. The CAR is responsible for assuring that EPA's Brownfields Assessment Grant funding received under this grant, or in combination with any other previously awarded Brownfields Assessment grant does not exceed the \$200,000 assessment grant funding limitation for an individual brownfield site. Waiver of this funding limit for a brownfields site must be approved by EPA prior to the expenditure of funding exceeding \$200,000. In no case may EPA funding exceed \$350,000 on a site receiving a waiver.

(Note: Cooperative Agreement Recipients expending funding from a community-wide assessment grant on a particular site must include such funding amount in any total funding expended on the site.)

D. Quarterly Progress Reports

1. The CAR must submit progress reports on a quarterly basis (30 days after the end of each Federal fiscal quarter) to the EPA Project Officer. The progress reports must document incremental progress at achieving the project goals and milestones. Quarterly progress reports must include:
 - a. Documentation of progress at meeting performance outcomes/outputs, project narrative, project time line and an explanation for any slippage in meeting established output/outcomes.
 - b. An update on project milestones.
 - c. A budget recap summary page with the following headings: Current Approved Budget; Costs Incurred this Quarter; Costs Incurred to Date; and Total Remaining Funds.
 - d. If applicable, quarterly reports must specify costs incurred at petroleum contaminated brownfields sites.
 - e. Recipient quarterly reports must clearly identify which activities performed during the reporting period were undertaken with EPA funds, and must relate EPA-funded activities to the objectives and milestones agreed upon in the work plan including a list of sites where assessment activities were completed. To the extent consistent with the EPA approved work plan for this agreement, activities undertaken with EPA funds to be included in quarterly performance and financial reporting may include:
 1. Acres per property
 2. Assessments started/completed
 3. No cleanup required
 4. Types of contaminants found
 5. Acres of greenspace created
 6. Engineering/institutional controls required, what type and whether they are in place
 7. Cleanup plans
 8. Redevelopment underway
 9. Funds leveraged
 10. Jobs leveraged
 11. Health monitoring studies, insurance, institutional controls funded
2. The CAR must maintain records that will enable it to report to EPA on the amount of funds

expended on specific sites under this grant.

3. The CAR must maintain records that will enable it to report to EPA on the amount of funds expended by the CAR at petroleum sites identified in the EPA approved work plan.
4. The CAR must complete and submit relevant portions of the Property Profile Form reporting the commencement of a Phase I assessment, the expenditure of \$1,000 or more of grant funds at a property or the completion of a property assessment. The CAR must submit the updated Property Profile Form reflecting such events within 30 days after the end of the Federal fiscal quarter in which the event occurred. The CAR may be provided access to an on-line reporting system, the Assessment, Cleanup and Redevelopment Exchange System (ACRES), by the EPA Project Officer to perform their reporting requirements. Alternately, the CAR may complete a hard copy version of the Property Profile Form available from their EPA Project Officer or on-line at: <http://www.epa.gov/brownfields/pubs/rptforms.htm>
5. In accordance with 40 C.F.R. § 31.40 (d), the recipient agrees to inform EPA as soon as problems, delays or adverse conditions become known which will materially impair the ability to meet the outputs/outcomes specified in the assistance agreement work plan.

III. FINANCIAL ADMINISTRATION REQUIREMENTS

A. Eligible Uses of the Funds for the Cooperative Agreement Recipient

1. To the extent allowable under the work plan, cooperative agreement funds may be used for eligible programmatic expenses to inventory, characterize, assess, and conduct planning and outreach. Eligible programmatic expenses include activities described in Section IV of these Terms and Conditions. In addition, such eligible programmatic expenses may include:
 - a. Determining whether assessment activities at a particular site are authorized by CERCLA 104(k);
 - b. Ensuring that an assessment complies with applicable requirements under Federal and State laws, as required by CERCLA 104(k);
 - c. Using a portion of the grant to purchase environmental insurance for the characterization or assessment of the site. Funds may not be used to purchase insurance intended to provide coverage for any of the Ineligible Uses under Section B.

Any other eligible programmatic costs including direct costs incurred by the recipient in reporting to EPA; procuring and managing contracts; awarding and managing subgrants to the extent allowable under III. B. 2.; and carrying out community involvement pertaining to the assessment activities.

2. **Local Governments only.** No more than 10% of the funds awarded by this agreement may be used for brownfield program development and implementation (including monitoring of health and institutional controls) as described in Task ____ of the EPA approved work plan. The CAR must maintain records on funds that will be used to carry out Task ____ of its EPA approved work plan to ensure that no more than 10% of its funds are used for brownfield program development and implementation (including monitoring of health and institutional controls).

B. Ineligible Uses of the Funds for the Cooperative Agreement Recipient

1. Cooperative agreement funds shall not be used by the CAR for any of the following activities:
 - a. Cleanup activities;

- b. Development activities that are not brownfields assessment activities (e.g., construction of a new facility);
 - c. Job training unrelated to performing a specific assessment at a site covered by the grant;
 - d. To pay for a penalty or fine;
 - e. To pay a federal cost share requirement (for example, a cost-share required by another Federal grant) unless there is specific statutory authority;
 - f. To pay for a response cost at a brownfields site for which the recipient of the grant or subgrant is potentially liable under CERCLA §107;
 - g. To pay a cost of compliance with any federal law, excluding the cost of compliance with laws applicable to the assessment; and
 - h. Unallowable costs (e.g., lobbying and fund raising) under applicable OMB Circulars.
2. Under CERCLA 104(k)(4)(B), administrative costs are prohibited costs under this agreement. Prohibited administrative costs include all indirect costs under applicable OMB Circulars.
- a. Ineligible administrative costs include costs incurred in the form of salaries, benefits, contractual costs, supplies, and data processing charges, incurred to comply with most provisions of the *Uniform Administrative Requirements for Grants* contained in 40 CFR Part 31. Direct costs for grant administration, with the exception of costs specifically identified as eligible programmatic costs, are ineligible even if the grant recipient is required to carry out the activity under the grant agreement.
 - b. Ineligible grant administration costs include direct costs for:
 - (1) Preparation of applications for Brownfields grants;
 - (2) Record retention required under 40 CFR 31.42;
 - (3) Record-keeping associated with supplies and equipment purchases required under 40 CFR 31.32 and 31.33;
 - (4) Preparing revisions and changes in the budgets, scopes of work, program plans and other activities required under 40 CFR 31.30;
 - (5) Maintaining and operating financial management systems required under 40 CFR 31;
 - (6) Preparing payment requests and handling payments under 40 CFR 31.21;
 - (7) Non-federal audits required under 40 CFR 31.26 and OMB Circular A-133; and
 - (8) Close out under 40 CFR 31.50.
3. Cooperative agreement funds may not be used for any of the following properties:
- a. Facilities listed, or proposed for listing, on the National Priorities List (NPL);
 - b. Facilities subject to unilateral administrative orders, court orders, administrative

orders on consent or judicial consent decree issued to or entered by parties under CERCLA;

- c. Facilities that are subject to the jurisdiction, custody or control of the United States government except for land held in trust by the United States government for an Indian tribe; or
- d. A site excluded from the definition of a brownfields site for which EPA has not made a property-specific funding determination.

C. Interest -Bearing Accounts and Program Income

1. In accordance with 40 CFR 31.25(g)(2), the CAR is authorized to add program income to the funds awarded by the EPA and use the program income under the same terms and conditions of this agreement. Program income for the assessment CAR shall be defined as the gross income received by the recipient, directly generated by the cooperative agreement award or earned during the period of the award. Program income includes, but is not limited to, fees charged for conducting assessment, site characterizations, clean up planning or other activities when the costs for the activity is charged to this agreement.
2. The CAR must deposit advances of grant funds and program income (e.g., fees) in an interest bearing account.
 - a. Interest earned on advances, CARs are subject to the provisions of 40 CFR §31.21(i) to remitting interest on advances to EPA on a quarterly basis.
 - b. Interest earned on program income is considered additional program income.

IV. ASSESSMENT ENVIRONMENTAL REQUIREMENTS

A. Authorized Assessment Activities

1. Prior to conducting or engaging in any on-site activity with the potential to impact historic properties (such as invasive sampling), the CAR shall consult with EPA regarding potential applicability of the National Historic Preservation Act and, if applicable, shall assist EPA in complying with any requirements of the Act and implementing regulations.

B. Quality Assurance (QA) Requirements

1. When environmental samples are collected as part of the brownfields assessment, the CAR shall comply with 40 CFR Part 31.45 requirements to develop and implement quality assurance practices sufficient to produce data adequate to meet project objectives and to minimize data loss. State law may impose additional QA requirements.

C. Completion of Assessment Activities

1. The CAR shall properly document the completion of all activities described in the EPA approved work plan. This must be done through a final report or letter from a qualified environmental professional, or other documentation provided by a State or Tribe that shows assessments are complete.

D. All Appropriate Inquiry

1. As required by CERCLA §104(k)(2)(B)(ii) and CERCLA §101(35)(B), the CAR shall ensure that a "Phase I" site characterization and assessment carried out under this agreement will be performed in accordance with EPA's standard for all appropriate inquiries. The CAR shall utilize the practices in ASTM standard E1527-05 "Standard Practices for Environmental Site Assessment: Phase I Environmental Site Assessment Process," or EPA's All Appropriate Inquiries

Final Rule. This does not preclude the use of grant funds for additional site characterization and assessment activities that may be necessary to characterize the environmental impacts at the site or to comply with applicable State standards.

V. Conflict of interest: Appearance of lack of Impartiality

A. Conflict of Interest

1. The CAR shall establish and enforce conflict of interest provisions that prevent the award of subgrants that create real or apparent personal conflicts of interest, or the CAR's appearance of lack of impartiality. Such situations include, but are not limited to, situations in which an employee, official, consultant, contractor, or other individual associated with the CAR (affected party) approves or administers a grant or subgrant to a subgrant recipient in which the affected party has a financial or other interest. Such a conflict of interest or appearance of lack of impartiality may arise when:

- (i) The affected party,
- (ii) Any member of his immediate family,
- (iii) His or her partner, or
- (iv) An organization which employs, or is about to employ, any of the above, has a financial or other interest in the subgrant recipient.

Affected employees will neither solicit nor accept gratuities, favors, or anything of monetary value from subgrant recipients. Recipients may set minimum rules where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value. To the extent permitted by State or local law or regulations, such standards of conduct will provide for penalties, sanctions, or other disciplinary actions for violations of such standards by affected parties.


VI. PAYMENT AND CLOSEOUT

A. Payment Schedule

1. The CAR may request payment from EPA pursuant to 40 CFR §31.21(c).

B. Schedule for Closeout

1. Closeout will be conducted in accordance with 40 CFR 31.50.

	U.S. ENVIRONMENTAL PROTECTION AGENCY Cooperative Agreement		ASSISTANCE ID NO.			DATE OF AWARD 09/21/2007
			PRG	DOC ID	AMEND#	
			BF - 00E43501 - 0			MAILING DATE 09/28/2007
			TYPE OF ACTION New			
RECIPIENT TYPE: Municipal			Send Payment Request to: Las Vegas Finance Center			
RECIPIENT:			PAYEE:			
City of Sandusky Ohio 222 Meigs Street Sandusky, OH 44870 EIN: 34-6401311			City of Sandusky 222 Meigs Street Sandusky, OH 44870			
PROJECT MANAGER		EPA PROJECT OFFICER		EPA GRANT SPECIALIST		
Scott Schell 222 Meigs Street Sandusky, OH 44870 E-Mail: sschell@ci.sandusky.oh.us Phone: 419-627-5827		Meonii Bristol 77 West Jackson Blvd., SM-5J Chicago, IL 60604-3507 E-Mail: Bristol.Meonii@epa.gov Phone: 312-353-4716		Marco Santos Assistance Section, MC-10J E-Mail: Santos.Marco@epa.gov Phone: 312-353-3490		
PROJECT TITLE AND DESCRIPTION Brownfields Hazardous/Petroleum Substances Assessment Cooperative Agreement This brownfields cooperative agreement will enable the City of Sandusky to conduct community-wide assessment activities on sites contaminated by hazardous and petroleum substances. The funds will be used to conduct Phase I and Phase II environmental assessments, remedial planning and design, and perform community outreach at brownfield properties that are currently underutilized and abandoned. This agreement will help the City determine environmental risks and promote sustainable redevelopment.						
BUDGET PERIOD 10/01/2007 - 09/30/2010		PROJECT PERIOD 10/01/2007 - 09/30/2010		TOTAL BUDGET PERIOD COST \$400,000.00		
				TOTAL PROJECT PERIOD COST \$400,000.00		
NOTICE OF AWARD Based on your application dated 08/02/2007, including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA), hereby awards \$400,000. EPA agrees to cost-share 100.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$400,000. Such award may be terminated by EPA without further cause if the recipient fails to provide timely affirmation of the award by signing under the Affirmation of Award section and returning all pages of this agreement to the Grants Management Office listed below within 21 days after receipt, or any extension of time, as may be granted by EPA. This agreement is subject to applicable EPA statutory provisions. The applicable regulatory provisions are 40 CFR Chapter 1, Subchapter B, and all terms and conditions of this agreement and any attachments.						
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)			AWARD APPROVAL OFFICE			
ORGANIZATION / ADDRESS			ORGANIZATION / ADDRESS			
U.S. EPA Region 5 Mail Code MCG10J 77 West Jackson Blvd. Chicago, IL 60604-3507			U.S. EPA, Region 5 Superfund Division 77 West Jackson Blvd., S-6J Chicago, IL 60604-3507			
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY						
SIGNATURE OF AWARD OFFICIAL Digital signature applied by EPA Award Official		TYPED NAME AND TITLE Walter W. Kovalick, Jr., Ph.D., Assistant Regional Administrator for Resources Management			DATE 09/21/2007	
AFFIRMATION OF AWARD BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION						
SIGNATURE		TYPED NAME AND TITLE James L. Miers, Interim City Manager			DATE	

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FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$	\$ 400,000	\$ 400,000
EPA In-Kind Amount	\$	\$	\$ 0
Unexpended Prior Year Balance	\$	\$	\$ 0
Other Federal Funds	\$	\$	\$ 0
Recipient Contribution	\$	\$	\$ 0
State Contribution	\$	\$	\$ 0
Local Contribution	\$	\$	\$ 0
Other Contribution	\$	\$	\$ 0
Allowable Project Cost	\$ 0	\$ 400,000	\$ 400,000

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.818 - Brownfields Assessment and Cleanup Cooperative Agreements	CERCLA: Sec. 101(39) CERCLA: Sec. 104(k)(2)	40 CFR PART 31

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
SANDUSKY	0705STX054	07	E4	0500AG7	402D79EBP	4114	G5BBOR00		200,000
SANDUSKY	0705STX054	07	E4	0500AG7	402D79E	4114	G5BBNY00		200,000
									400,000

Budget Summary Page: Brownfields Assessment Budget

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$0
2. Fringe Benefits	\$0
3. Travel	\$4,000
4. Equipment	\$0
5. Supplies	\$8,000
6. Contractual	\$388,000
7. Construction	\$0
8. Other	\$0
9. Total Direct Charges	\$400,000
10. Indirect Costs: % Base	\$0
11. Total (Share: Recipient <u>0.00</u> % Federal <u>100.00</u> %.)	\$400,000
12. Total Approved Assistance Amount	\$400,000
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$400,000
15. Total EPA Amount Awarded To Date	\$400,000

Administrative Conditions

1. CONSULTANT CAP

Payment to consultants. EPA participation in the salary rate (excluding overhead) paid to individual consultants retained by recipients or by a recipient's contractors or subcontractors shall be limited to the maximum daily rate for a Level IV of the Executive Schedule (formerly GS-18), to be adjusted annually. This limit applies to consultation services of designated individuals with specialized skills who are paid at a daily or hourly rate. As of January 1, 2007, the limit is \$557.28 per day and \$69.66 per hour. This rate does not include transportation and subsistence costs for travel performed (the recipient will pay these in accordance with their normal travel reimbursement practices).

Subagreements with firms for services which are awarded using the procurement requirements in 40 CFR 30 or 31, as applicable, are not affected by this limitation unless the terms of the contract provided the recipient with responsibility for the selection, direction, and control of the individuals who will be providing services under the contract at an hourly or daily rate of compensation. See 40 CFR 31.36(j) or 30.27(b).

2. COPYRIGHTED MATERIAL

In accordance with 40 CFR 31.34 for State, local and Indian Tribal governments or 40 CFR 30.36 for other recipients, EPA has the right to reproduce, publish, use, and authorize others to use copyrighted works or other data developed under this assistance agreement for Federal purposes.

Examples of a Federal purpose include but are not limited to: (1) Use by EPA and other Federal employees for official Government purposes; (2) Use by Federal contractors performing specific tasks for the Government; (3) Publication in EPA documents provided the document does not disclose trade secrets (e.g. software codes) and the work is properly attributed to the recipient through citation or otherwise; (4) Reproduction of documents for inclusion in Federal depositories; (5) Use by State, tribal and local governments that carry out delegated Federal environmental programs as "co-regulators" or act as official partners with EPA to carry out a national environmental program within their jurisdiction and; (6) Limited use by other grantees to carry out Federal grants provided the use is consistent with the terms of EPA's authorization to the other grantee to use the copyrighted works or other data.

Under Item 6, the grantee acknowledges that EPA may authorize another grantee(s) to use the copyrighted works or other data developed under this grant as a result of:

- a. the selection of another grantee by EPA to perform a project that will involve the use of the copyrighted works or other data or;
- b. termination or expiration of this agreement.

In addition, EPA may authorize another grantee to use copyrighted works or other data developed with Agency funds provided under this grant to perform another grant when such use promotes efficient and effective use of Federal grant funds.

3. DEBARMENT AND SUSPENSION

Recipient shall fully comply with Subpart C of 2 CFR Part 180 and 2 CFR Part 1532, entitled "Responsibilities of Participants Regarding Transactions (Doing Business with Other Persons)." Recipient is responsible for ensuring that any lower tier covered transaction as described in Subpart B of 2 CFR Part 180 and 2 CFR Part 1532, entitled "Covered Transactions," includes a term or condition requiring compliance with Subpart C. Recipient is responsible for further requiring the inclusion of a similar term or condition in any subsequent lower tier covered transactions. Recipient acknowledges that failing to disclose the information as required at 2 CFR 180.335 may result in the delay or negation of this assistance agreement, or pursuance of legal remedies, including suspension and debarment.

Recipient may access the Excluded Parties List System at www.epls.gov. This term and condition supersedes EPA Form 5700-49, "Certification Regarding Debarment, Suspension, and Other Responsibility Matters."

4. DRUG-FREE WORKPLACE CERTIFICATION

The recipient organization of this EPA assistance agreement must make an ongoing, good faith effort to maintain a drug-free workplace pursuant to the specific requirements set forth in Title 40 CFR 36.200 - 36.230. Additionally, in accordance with these regulations, the recipient organization must identify all known workplaces under its federal awards, and keep this information on file during the performance of the award.

Those recipients who are individuals must comply with the drug-free provisions set forth in Title 40 CFR 36.300.

The consequences for violating this condition are detailed under Title 40 CFR 36.510. Recipients can access the Code of Federal Regulations (CFR) Title 40 Part 36 at http://www.access.gpo.gov/nara/cfr/waisidx_06/40cfr36_06.html.

5. FEDERAL CASH TRANSACTION REPORT

The SF272 report is due within 15 working days following December 31 of any given calendar year. This form must be submitted to: **U.S. EPA, LVFC, P.O. Box 98515, Las Vegas, NV 89193-8515**. For more information contact: Richard Sherburne, LVFC at 702-798-2494.

6. HOTEL-MOTEL FIRE SAFETY

Pursuant to 40 CFR 30.18, if applicable, and 15 USC 2225a, the recipient agrees to ensure that all space for conferences, meetings, conventions, or training seminars funded in whole or in part with federal funds complies with the protection and control guidelines of the Hotel and Motel Fire Safety Act (PL 101-391, as amended). Recipients may search the Hotel-Motel National Master List at <http://www.usfa.dhs.gov/applications/hotel/> to see if a property is in compliance (FEMA ID is currently not required), or to find other information about the Act.

7. LOBBYING AND LITIGATION

In accordance with OMB Circular A-21, A-87, or A-122, as appropriate, the recipient agrees that it will not use project funds, including the Federal and non-Federal share, to engage in lobbying the Federal Government or in litigation against the United States. The recipient also agrees to provide the EPA Form 5700-53, Lobbying and Litigation Certificate as mandated by EPA's annual appropriations act. A chief executive officer of any entity receiving funds under this Act shall certify that none of these funds have been used to engage in the lobbying of the Federal Government or in litigation against the United States unless authorized under existing law. The certification must be submitted in accordance with the instructions provided by the EPA award official and is due 90 days after the end of the project period.

8. MANAGEMENT FEES

Management fees or similar charges in excess of the direct costs and approved indirect rates are not allowable. The term "management fees or similar charges" refers to expenses added to the direct costs in order to accumulate and reserve funds for ongoing business expenses, unforeseen liabilities, or for other similar costs which are not allowable under this assistance agreement. Management fees or similar charges may not be used to improve or expand the project funded under this agreement, except to the extent authorized as a direct cost of carrying out the scope of work.

9. MBE/WBE REQUIREMENTS

In accordance with EPA's Program for Utilization of Small, Minority and Women's Business Enterprises in procurement under assistance programs, the recipient agrees to:

a) Accept the applicable FY 2007 "fair share" goals negotiated with EPA by the Ohio Environmental Protection Agency as follows:

MBE		WBE	
Construction	2.3%	Construction	6.2%
Supplies	2.5%	Supplies	11.0%
Services	2.5%	Services	11.0%
Equipment	2.5%	Equipment	11.0%

If the recipient does not want to rely on applicable Ohio Environmental Protection Agency's MBE/WBE goals, the recipient agrees to submit proposed MBE/WBE goals based on availability of qualified minority and women-owned businesses to do work in relevant market for construction, services, supplies and equipment. "Fair share" objectives must be submitted the MBE Coordinator within 30 days of award and approved by EPA no later than 30 days thereafter.

b) Ensure to the fullest extent possible that at least the FY 2007 "fair share" objective [see a) above] of Federal funds for prime contractors or subcontracts for supplies, construction, equipment or services are made available to organizations owned or controlled by socially and economically disadvantaged individuals, women and historically black colleges and universities.

c) Include in bid documents "fair share" objectives of 2007 fair share percentage [see a) above] and require all of its contractors to include in their bid documents for subcontracts the negotiated fair share percentages.

d) Follow the six affirmative steps stated in 40 CFR 30.44(b) 40 CFR 31.36(e), 35.3145(d), or 35.6580, as appropriate.

e) The recipient agrees to submit an EPA form 5700-52A "MBE/WBE Utilization Under Federal Grants, Cooperative Agreements and Interagency Agreements" beginning with the Federal fiscal year quarter the recipient receives the award and continuing until the project is completed. These reports must be submitted to Adrienne M. Callahan, MBE Coordinator within 30 days of the end of the Federal fiscal quarter (January 30, April 30, July 30, and October 30). For assistance awards for continuing environmental programs (40 CFR Part 35, Subpart B) and assistance awards with institutions of higher education, hospitals and other non-profit organizations, the recipient agrees to submit an EPA form 5700-52A to Adrienne M. Callahan, MBE Coordinator by October 30 of each year. (Reporting form available at www.epa.gov/osdbu.) Submit reports to:

**Adrienne M. Callahan, Region 5 MBE/WBE Coordinator
US EPA--Acquisition and Assistance Branch
77 West Jackson Boulevard, MC-10J
Chicago, IL 60604**

f) In the event race and/or gender neutral efforts prove to be inadequate to achieve a fair share objective for MBE/WBEs, the recipient agrees to notify EPA in advance of any race and/or gender conscious action it plans to take to more closely achieve the fair share objective.

g) Until the recipient has completed its fair share negotiations with EPA, it agrees to maintain state Agency's fair share objectives. Once the recipient has completed its fair share negotiations with EPA, it will apply those objectives. The recipient also agrees to include in its bid documents the applicable FY 2007 "fair share" objectives and require all of its prime contractors to include in their bid documents for

subcontracts the applicable FY 2007 "fair share" percentages and to comply with paragraphs (c) through (e) above.

EPA may take correction action under 40 CFR Parts 30, 31 and 35, as appropriate, if the recipient fails to comply with these terms and conditions.

For further information, please contact Adrienne Callahan at 312-353-5556, email: Callahan.Adrienne@epa.gov

10. MULTI-YEAR GRANT - INTERIM FINANCIAL STATUS REPORTS

An interim Financial Status Report – also called the SF269 - must be submitted annually within 90 days following the end of each 12-month period. All interim FSRs must be submitted to the EPA Grants Specialist as identified on page one of this Assistance Agreement.

11. NATIONAL HISTORIC PRESERVATION ACT

Prior to conducting or engaging in any on-site activity with the potential to impact historic properties (such as invasive sampling or cleanup), the grantee shall consult with EPA regarding potential applicability of the National Historic Preservation Act and, if applicable shall assist EPA in complying with any requirements of the Act and implementing regulations.

12. PROCUREMENT OF RECYCLED PRODUCTS

Any State agency or agency of a political subdivision of a State which is using appropriated Federal funds shall comply with the requirements set forth in Section 6002 of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. 6962). Regulations issued under RCRA Section 6002 apply to any acquisition of an item where the purchase price exceeds \$10,000 or where the quantity of such items acquired in the course of the preceding fiscal year was \$10,000 or more. RCRA Section 6002 requires that preference be given in procurement programs to the purchase of specific products containing recycled materials identified in guidelines developed by EPA. These guidelines are listed in 40 CFR 247.

13. RECYCLED PAPER

In accordance with EPA Order 1000.25 and Executive Order 13101, *Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition*, the recipient agrees to use recycled paper for all reports which are prepared as a part of this agreement and delivered to EPA. This requirement does not apply to reports prepared on forms supplied by EPA, or to Standard Forms, which are printed on recycled paper and are available through the General Services Administration. Please note that Section 901 of E.O. 13101, dated September 14, 1998, revoked E.O. 12873, *Federal Acquisition, Recycling, and Waste Prevention* in its entirety.

14. SMALL BUSINESS IN RURAL AREAS

By accepting this agreement, the recipient agrees to comply with Section 129 of Public Law 100-590, the Small Business Administration Reauthorization and Amendment Act of 1988. Therefore, if the recipient awards a contract under this assistance agreement, it will utilize the following affirmative steps relative to Small Business in Rural Areas (SBRAs):

- a. Placing SBRAs on solicitation lists;
- b. Ensuring that SBRAs are solicited whenever they are potential sources;
- c. Dividing total requirements when economically feasible, into small tasks or quantities to permit maximum participation by SBRAs;
- d. Establishing delivery schedules, where the requirements of work will permit, which would encourage participation by SBRAs;
- e. Using the services of the Small Business Administration and the Minority Business Development

Agency of the U.S. Department of Commerce, as appropriate; and

- f. Requiring the contractor, if it awards subcontracts, to take the affirmative steps in subparagraphs a. through e. of this condition.

15. SUBAWARDS

a. The recipient agrees to:

- (1) Establish all subaward agreements in writing;
- (2) Maintain primary responsibility for ensuring successful completion of the EPA-approved project (this responsibility cannot be delegated or transferred to a subrecipient);
- (3) Ensure that any subawards comply with the standards in Section 210(a)-(d) of OMB Circular A-133 and are not used to acquire commercial goods or services for the recipient;
- (4) Ensure that any subawards are awarded to eligible subrecipients and that proposed subaward costs are necessary, reasonable, and allocable;
- (5) Ensure that any subawards to 501(c)(4) organizations do not involve lobbying activities;
- (6) Monitor the performance of their recipients and ensure that they comply with all applicable regulations, statutes, and terms and conditions which flow down in the subaward;
- (7) Obtain EPA's consent before making a subaward to a foreign or international organization, or a subaward to be performed in a foreign country; and
- (8) Obtain approval from EPA for any new subaward work that is not outlined in the approved work plan in accordance with 40 CFR Parts 30.25 and 31.30, as applicable.

b. Any questions about subrecipient eligibility or other issues pertaining to subawards should be addressed to the recipient's EPA Project Officer. Additional information regarding subawards may be found at <http://www.epa.gov/ogd/guide/subaward-policy-part-2.pdf>. Guidance for distinguishing between vendor and subrecipient relationships and ensuring compliance with Section 210(a)-(d) of OMB Circular A-133 can be found at <http://www.epa.gov/ogd/guide/subawards-appendix-b.pdf> and <http://www.whitehouse.gov/omb/circulars/a133/a133.html>

c. The recipient is responsible for selecting its subrecipients and, if applicable, for conducting subaward competitions.

16. UNLIQUIDATED OBLIGATIONS TERM AND CONDITION: PART 31

Pursuant to 40 CFR 31.41(b) and 31.50(b), EPA recipients shall submit a final Financial Status Report - also called the SF269 - to EPA's Las Vegas Finance Center (LVFC), within ninety (90) days after the expiration of the budget period end date. Completed SF269s must be faxed to 702-798-2423 or mailed to the following address: USEPA LVFC, P.O. Box 98515, Las Vegas, NV 89193-8515. The LVFC will make adjustments, as necessary, to obligated funds after reviewing and accepting a final Financial Status Report. Recipients will be notified and instructed by EPA if they must complete any additional forms for the closeout of the assistance agreement.

EPA may take enforcement actions in accordance with 40 CFR 31.43 if the recipient does not comply with this term and condition.

Programmatic Conditions

1. ENVIRONMENTAL RESULTS - RECIPIENT PERFORMANCE REPORTING

Recipients subject to 40 C.F.R. Part 31 (other than recipients of State or Tribal Program grants under 40 C.F.R. Parts 35 Subparts A or B)

Performance Reports:

In accordance with 40 C.F.R. §31.40, the recipient agrees to submit performance reports that include brief information on each of the following areas: 1) a comparison of actual accomplishments to the outputs/outcomes established in the assistance agreement workplan for the period; 2) the reasons for slippage if established outputs/outcomes were not met; and 3) additional pertinent information, including, when appropriate, analysis and information of cost overruns or high unit costs.

In accordance with 40 C.F.R. § 31.40 (d), the recipient agrees to inform EPA as soon as problems, delays or adverse conditions become known which will materially impair the ability to meet the outputs/outcomes specified in the assistance agreement work plan.

Brownfields Assessment Grant Terms and Conditions

Please note that these Terms and Conditions (T&Cs) apply to brownfields grants under CERCLA 104(k) and do not apply to pre-FY 2003 grants subject to 104(d).

I. GENERAL FEDERAL REQUIREMENTS

NOTE: For the purposes of these Terms and Conditions the term "assessment" includes, eligible activities under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) 104(k)(2)(A)(i) such as activities involving the inventory, characterization, assessment, and planning relating to brownfield sites as described in the EPA approved work plan.

A. Federal Policy and Guidance

1. a. Cooperative Agreement Recipients: In implementing this agreement, the cooperative agreement recipient (CAR) shall insure that work done with cooperative agreement funds complies with the requirements of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) 104(k). The CAR shall also ensure that assessment activities supported with cooperative agreement funding comply with all applicable Federal and State laws and regulations.
- b. CERCLA 104(g) requires that recipients comply with the prevailing wage rate requirements under the Davis-Bacon Act of 1931 for construction, repair or alteration contracts "funded in whole or in part" with funds provided under this agreement. If the CAR uses funds awarded under this agreement to contract for construction, repair or alteration work, it must obtain recent and applicable wage rates from the U.S. Department of Labor and incorporate them into the construction, alteration or repair contract.
- c. The recipient agrees to comply with Executive Order 13202 (Feb. 22, 2001, 66 Fed. Reg. 11225) of February 17, 2001, entitled "Preservation of Open Competition and Government Neutrality Towards Government Contractors' Labor Relations on Federal and Federally Funded Construction Projects," as amended by Executive Order 13208 (April 11, 2001, 66 Fed. Reg. 18717) of April 6, 2001, entitled "Amendment to Executive Order 13202, Preservation of Open Competition and Government Neutrality Towards Government Contractors' Labor Relations on Federal and Federally Funded Construction Projects.
- d. The recipient must comply with Federal cross-cutting requirements. These requirements include but are not limited to, MBE/WBE requirements found at 40 CFR 31.36(e) or 40 CFR 30.44(b); OSHA Worker Health & Safety Standard 29 CFR 1910.120; the Uniform Relocation Act; National Historic Preservation Act; Endangered Species Act; and Permits required by Section 404 of the Clean Water Act; Executive Order 11246, Equal Employment Opportunity, and implementing regulations at 41 CFR 60-4; Contract Work Hours and Safety Standards Act, as amended (40 USC 327-333) the Anti Kickback Act (40 USC 276c) and Section 504 of the Rehabilitation Act of 1973 as implemented by Executive Orders 11914 and 11250.

B. Eligible Brownfields Site Determinations

1.
 - a. The CAR must provide information to EPA about site-specific work prior to incurring any costs under this cooperative agreement for sites that have not already been pre-approved in the CAR's work plan by the EPA. The information that must be provided includes whether or not the site meets the definition of a brownfield site as defined in §101(39) of CERCLA, the identity of the owner, and the date of acquisition.
 - b. If the site is excluded from the general definition of a brownfield, but is eligible for a property-specific funding determination, then the CAR must provide information sufficient for EPA to make a property-specific funding determination. The CAR must provide sufficient information on how financial assistance will protect human health and the environment, and either promote economic development or enable the creation of, preservation of, or addition to parks, greenways, undeveloped property, other recreational property, or other property used for nonprofit purposes. The CAR must not incur costs for assessing sites requiring a property-specific funding determination by EPA until the EPA Project Officer has advised the CAR that the Agency has determined that the property is eligible.
2.
 - a. For any petroleum contaminated brownfield site that is not included in the CAR's EPA approved work plan, the CAR shall provide sufficient documentation to the EPA prior to incurring costs under this cooperative agreement which includes (see the latest version of EPA's *Proposal Guidelines for Brownfields Assessment, Revolving Loan Fund and Cleanup Grants* for discussion of this element):
 - (1) that a State has determined that the petroleum site is of relatively low risk, as compared to other petroleum-only sites in the State,
 - (2) that the State determines there is "no viable responsible party" for the site;
 - (3) that the State determines that the person assessing or investigating the site is a person who is not potentially liable for cleaning up the site; and
 - (4) that the site is not subject to any order issued under section 9003(h) of the Solid Waste Disposal Act. This documentation must be prepared by the CAR or the State following contact and discussion with the appropriate petroleum program official.
 - b. Documentation must include the identity of the State program official contacted, the State official's telephone number, the date of the contact, and a summary of the discussion relating to the state's determination that the site is of relatively low risk, that there is no viable responsible party and that the person assessing or investigating the site is a person who is not potentially liable for cleaning up the site. Other documentation provided by a State to the recipient relevant to any of the determinations by the State must also be provided to the EPA Project Officer.
 - c. If the State chooses not to make the determinations described in 2.a. above, the CAR must contact the EPA Project Officer and provide the information necessary for EPA to make the requisite determinations.
 - d. EPA must also make all determinations on the eligibility of petroleum contaminated brownfield sites located on Indian tribal lands. Prior to incurring costs for these sites, the CAR must contact the EPA Project Officer and provide the information necessary for EPA to make the determinations described in 2.a. above.

II. GENERAL COOPERATIVE AGREEMENT ADMINISTRATIVE REQUIREMENTS

A. Term of the Agreement

1. The term of this agreement is three years from the date of award, unless otherwise extended by EPA at the CAR's request.
2. If after 1½ years from the date of award, EPA determines that the CAR has not made sufficient progress in implementing its cooperative agreement, the Agency may terminate this agreement.
3. Assessment funding for any eligible brownfield site may not exceed \$200,000 unless a waiver has been granted by EPA and then funding is not to exceed \$350,000 at the site subject to the waiver.

B. Substantial Involvement

1. The U.S. EPA may be substantially involved in overseeing and monitoring this cooperative agreement.
 - a. Substantial involvement by the U.S. EPA generally includes administrative activities such as: monitoring; review of project phases; and approval of substantive terms included in professional services contracts.
 - b. Substantial EPA involvement also includes brownfields property-specific funding determinations described in I.B. under *Eligible Brownfields Site Determinations* above. If the CAR awards a subgrant for site assessment, the CAR must obtain technical assistance from EPA on which sites qualify as a brownfield site and determining whether the statutory prohibition found in section 104(k)(4)(B)(i)(IV) of CERCLA applies. This prohibition precludes the subgrantee from using EPA funds to assess a site for which the subgrantee is potentially liable under §107 of CERCLA.
 - c. Substantial EPA involvement may include reviewing financial and environmental status reports; and monitoring all reporting, record-keeping, and other program requirements.
 - d. EPA may waive any of the provisions in term and condition II.B.1., with the exception of property-specific funding determinations. EPA will provide waivers in writing.
2. Effect of EPA's substantial involvement includes:
 - a. EPA's review of any project phase, document, or cost incurred under this cooperative agreement, will not have any effect upon CERCLA §128 *Eligible Response Site* determinations or for rights, authorities, and actions under CERCLA or any Federal statute.
 - b. The CAR remains responsible for ensuring that all assessments are protective of human health and the environment and comply with all applicable Federal and State laws.
 - c. The CAR and its subgrantees remain responsible for incurring costs that are allowable under the applicable OMB Circulars.

C. Cooperative Agreement Recipient Roles and Responsibilities

1. The CAR must acquire the services of a qualified environmental professional(s) to coordinate,

direct, and oversee the brownfields assessment activities at a particular site, if they do not have such a professional on staff.

2. The CAR is responsible for ensuring that contractors and subgrant recipients comply with the terms of their agreements with the CAR, and that agreements between the CAR and subgrant recipients and contractors are consistent with the terms and conditions of this agreement.
3. Subgrants are defined at 40 CFR 31.3. The CAR may not subgrant to for-profit organizations. The CAR must obtain commercial services and products necessary to carry out this agreement under competitive procurement procedures as described in 40 CFR 31.36. In addition, EPA policy encourages awarding subgrants competitively and the CAR must consider awarding subgrants through competition.
4. The CAR is responsible for assuring that EPA's Brownfields Assessment Grant funding received under this grant, or in combination with any other previously awarded Brownfields Assessment grant does not exceed the \$200,000 assessment grant funding limitation for an individual brownfield site. Waiver of this funding limit for a brownfields site must be approved by EPA prior to the expenditure of funding exceeding \$200,000. In no case may EPA funding exceed \$350,000 on a site receiving a waiver.

(Note: Cooperative Agreement Recipients expending funding from a community-wide assessment grant on a particular site must include such funding amount in any total funding expended on the site.)

D. Quarterly Progress Reports

1. The CAR must submit progress reports on a quarterly basis (30 days after the end of each Federal fiscal quarter) to the EPA Project Officer. The progress reports must document incremental progress at achieving the project goals and milestones. Quarterly progress reports must include:
 - a. Documentation of progress at meeting performance outcomes/outputs, project narrative, project time line and an explanation for any slippage in meeting established output/outcomes.
 - b. An update on project milestones.
 - c. A budget recap summary page with the following headings: Current Approved Budget; Costs Incurred this Quarter; Costs Incurred to Date; and Total Remaining Funds.
 - d. If applicable, quarterly reports must specify costs incurred at petroleum contaminated brownfields sites.
 - e. Recipient quarterly reports must clearly identify which activities performed during the reporting period were undertaken with EPA funds, and must relate EPA-funded activities to the objectives and milestones agreed upon in the work plan including a list of sites where assessment activities were completed. To the extent consistent with the EPA approved work plan for this agreement, activities undertaken with EPA funds to be included in quarterly performance and financial reporting may include:
 1. Acres per property
 2. Assessments started/completed
 3. No cleanup required
 4. Types of contaminants found
 5. Acres of greenspace created
 6. Engineering/institutional controls required, what type and whether they are in place
 7. Cleanup plans
 8. Redevelopment underway
 9. Funds leveraged
 10. Jobs leveraged
 11. Health monitoring studies, insurance, institutional controls funded
2. The CAR must maintain records that will enable it to report to EPA on the amount of funds

expended on specific sites under this grant.

3. The CAR must maintain records that will enable it to report to EPA on the amount of funds expended by the CAR at petroleum sites identified in the EPA approved work plan.
4. The CAR must complete and submit relevant portions of the Property Profile Form reporting the commencement of a Phase I assessment, the expenditure of \$1,000 or more of grant funds at a property or the completion of a property assessment. The CAR must submit the updated Property Profile Form reflecting such events within 30 days after the end of the Federal fiscal quarter in which the event occurred. The CAR may be provided access to an on-line reporting system, the Assessment, Cleanup and Redevelopment Exchange System (ACRES), by the EPA Project Officer to perform their reporting requirements. Alternately, the CAR may complete a hard copy version of the Property Profile Form available from their EPA Project Officer or on-line at: <http://www.epa.gov/brownfields/pubs/rptforms.htm>
5. In accordance with 40 C.F.R. § 31.40 (d), the recipient agrees to inform EPA as soon as problems, delays or adverse conditions become known which will materially impair the ability to meet the outputs/outcomes specified in the assistance agreement work plan.

III. FINANCIAL ADMINISTRATION REQUIREMENTS

A. Eligible Uses of the Funds for the Cooperative Agreement Recipient

1. To the extent allowable under the work plan, cooperative agreement funds may be used for eligible programmatic expenses to inventory, characterize, assess, and conduct planning and outreach. Eligible programmatic expenses include activities described in Section IV of these Terms and Conditions. In addition, such eligible programmatic expenses may include:
 - a. Determining whether assessment activities at a particular site are authorized by CERCLA 104(k);
 - b. Ensuring that an assessment complies with applicable requirements under Federal and State laws, as required by CERCLA 104(k);
 - c. Using a portion of the grant to purchase environmental insurance for the characterization or assessment of the site. Funds may not be used to purchase insurance intended to provide coverage for any of the Ineligible Uses under Section B.

Any other eligible programmatic costs including direct costs incurred by the recipient in reporting to EPA; procuring and managing contracts; awarding and managing subgrants to the extent allowable under III. B. 2.; and carrying out community involvement pertaining to the assessment activities.

2. **Local Governments only.** No more than 10% of the funds awarded by this agreement may be used for brownfield program development and implementation (including monitoring of health and institutional controls) as described in Task ____ of the EPA approved work plan. The CAR must maintain records on funds that will be used to carry out Task ____ of its EPA approved work plan to ensure that no more than 10% of its funds are used for brownfield program development and implementation (including monitoring of health and institutional controls).

B. Ineligible Uses of the Funds for the Cooperative Agreement Recipient

1. Cooperative agreement funds shall not be used by the CAR for any of the following activities:
 - a. Cleanup activities;

- b. Development activities that are not brownfields assessment activities (e.g., construction of a new facility);
 - c. Job training unrelated to performing a specific assessment at a site covered by the grant;
 - d. To pay for a penalty or fine;
 - e. To pay a federal cost share requirement (for example, a cost-share required by another Federal grant) unless there is specific statutory authority;
 - f. To pay for a response cost at a brownfields site for which the recipient of the grant or subgrant is potentially liable under CERCLA §107;
 - g. To pay a cost of compliance with any federal law, excluding the cost of compliance with laws applicable to the assessment; and
 - h. Unallowable costs (e.g., lobbying and fund raising) under applicable OMB Circulars.
2. Under CERCLA 104(k)(4)(B), administrative costs are prohibited costs under this agreement. Prohibited administrative costs include all indirect costs under applicable OMB Circulars.
- a. Ineligible administrative costs include costs incurred in the form of salaries, benefits, contractual costs, supplies, and data processing charges, incurred to comply with most provisions of the *Uniform Administrative Requirements for Grants* contained in 40 CFR Part 31. Direct costs for grant administration, with the exception of costs specifically identified as eligible programmatic costs, are ineligible even if the grant recipient is required to carry out the activity under the grant agreement.
 - b. Ineligible grant administration costs include direct costs for:
 - (1) Preparation of applications for Brownfields grants;
 - (2) Record retention required under 40 CFR 31.42;
 - (3) Record-keeping associated with supplies and equipment purchases required under 40 CFR 31.32 and 31.33;
 - (4) Preparing revisions and changes in the budgets, scopes of work, program plans and other activities required under 40 CFR 31.30;
 - (5) Maintaining and operating financial management systems required under 40 CFR 31;
 - (6) Preparing payment requests and handling payments under 40 CFR 31.21;
 - (7) Non-federal audits required under 40 CFR 31.26 and OMB Circular A-133; and
 - (8) Close out under 40 CFR 31.50.
3. Cooperative agreement funds may not be used for any of the following properties:
- a. Facilities listed, or proposed for listing, on the National Priorities List (NPL);
 - b. Facilities subject to unilateral administrative orders, court orders, administrative

orders on consent or judicial consent decree issued to or entered by parties under CERCLA;

- c. Facilities that are subject to the jurisdiction, custody or control of the United States government except for land held in trust by the United States government for an Indian tribe; or
- d. A site excluded from the definition of a brownfields site for which EPA has not made a property-specific funding determination.

C. Interest -Bearing Accounts and Program Income

1. In accordance with 40 CFR 31.25(g)(2), the CAR is authorized to add program income to the funds awarded by the EPA and use the program income under the same terms and conditions of this agreement. Program income for the assessment CAR shall be defined as the gross income received by the recipient, directly generated by the cooperative agreement award or earned during the period of the award. Program income includes, but is not limited to, fees charged for conducting assessment, site characterizations, clean up planning or other activities when the costs for the activity is charged to this agreement.
2. The CAR must deposit advances of grant funds and program income (e.g., fees) in an interest bearing account.
 - a. Interest earned on advances, CARs are subject to the provisions of 40 CFR §31.21(i) to remitting interest on advances to EPA on a quarterly basis.
 - b. Interest earned on program income is considered additional program income.

IV. ASSESSMENT ENVIRONMENTAL REQUIREMENTS

A. Authorized Assessment Activities

1. Prior to conducting or engaging in any on-site activity with the potential to impact historic properties (such as invasive sampling), the CAR shall consult with EPA regarding potential applicability of the National Historic Preservation Act and, if applicable, shall assist EPA in complying with any requirements of the Act and implementing regulations.

B. Quality Assurance (QA) Requirements

1. When environmental samples are collected as part of the brownfields assessment, the CAR shall comply with 40 CFR Part 31.45 requirements to develop and implement quality assurance practices sufficient to produce data adequate to meet project objectives and to minimize data loss. State law may impose additional QA requirements.

C. Completion of Assessment Activities

1. The CAR shall properly document the completion of all activities described in the EPA approved work plan. This must be done through a final report or letter from a qualified environmental professional, or other documentation provided by a State or Tribe that shows assessments are complete.

D. All Appropriate Inquiry

1. As required by CERCLA §104(k)(2)(B)(ii) and CERCLA §101(35)(B), the CAR shall ensure that a "Phase I" site characterization and assessment carried out under this agreement will be performed in accordance with EPA's standard for all appropriate inquiries. The CAR shall utilize the practices in ASTM standard E1527-05 "Standard Practices for Environmental Site Assessment: Phase I Environmental Site Assessment Process," or EPA's All Appropriate Inquiries

Final Rule. This does not preclude the use of grant funds for additional site characterization and assessment activities that may be necessary to characterize the environmental impacts at the site or to comply with applicable State standards.

V. Conflict of interest: Appearance of lack of Impartiality

A. Conflict of Interest

1. The CAR shall establish and enforce conflict of interest provisions that prevent the award of subgrants that create real or apparent personal conflicts of interest, or the CAR's appearance of lack of impartiality. Such situations include, but are not limited to, situations in which an employee, official, consultant, contractor, or other individual associated with the CAR (affected party) approves or administers a grant or subgrant to a subgrant recipient in which the affected party has a financial or other interest. Such a conflict of interest or appearance of lack of impartiality may arise when:

(i) The affected party,

(ii) Any member of his immediate family,

(iii) His or her partner, or

(iv) An organization which employs, or is about to employ, any of the above, has a financial or other interest in the subgrant recipient.

Affected employees will neither solicit nor accept gratuities, favors, or anything of monetary value from subgrant recipients. Recipients may set minimum rules where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value. To the extent permitted by State or local law or regulations, such standards of conduct will provide for penalties, sanctions, or other disciplinary actions for violations of such standards by affected parties.

VI. PAYMENT AND CLOSEOUT

A. Payment Schedule

1. The CAR may request payment from EPA pursuant to 40 CFR §31.21(c).

B. Schedule for Closeout

1. Closeout will be conducted in accordance with 40 CFR 31.50.

OFFICIAL EPA PROJECT FILE

Project File: The official file developed and maintained by the Project Officer to serve as a collection of documents and or items that provide programmatic and/or fiscal information on the purpose, performance and history of an award to a specific recipient.

Suggested Contents:

Part I

- 1) Copy of application and any application amendments with Work Plan/Budget (copy)
- 2) Administrative Review Checklist signed by the Grants Specialist the Project Officer (copy, Regional requirement)
- 3) Quality Assurance documentation

Part II

- 1) Correspondence relating to the application and/or summaries of same
- 2) Application reviews, in-house and extramural
- 3) Programmatic reviews
- 4) Program memo regarding funding recommendation to Regional Administrator

Part III

A copy of Assistance Agreement and any amendments.

Part IV

- 1) Copies of Correspondence relating to the awards
 - A. Award document
 - B. Close-out letter
- 2) Correspondence concerning negotiations and agreements
- 3) Recipients requests for deviation; EPA approval or denial
- 4) Correspondence concerning continuation or renewal of project
- 5) Site-visit reports
- 6) Administrative reports
- 7) Stop-work order and related correspondence
- 8) Correspondence concerning termination actions

- 9) Correspondence concerning disputes and appeals
- 10) Final determinations
- 11) Audit reports
- 12) Regional and General Counsel Opinions
- 13) End of year evaluation

Part V

- 1) Reimbursement requests if applicable (copy)
- 2) Payment vouchers if applicable (copy)
- 3) Financial Status Reports if applicable (copy)
- 4) Automated Clearinghouse Authorization if applicable (copy)
- 5) Increase and decrease amendments (copy).
- 6) Close-out checklist/memo (copy)
- 7) Commitment Notices (copy)

Part VI

Technical Reports -- if the report is too bulky, place it in an accordion file and rubber band it to the six part file. If it is a film, computerized disk, etc., a document spelling out its location must be filed in this section.



Bethany Dentler
<bdentler@norwalknedc.com>

To:
Subject: Re: Correction page needed Standard Form 424A

08/28/2006 12:18 PM

Please respond to
Bethany Dentler
<bdentler@norwalknedc.com>

History: This message has been forwarded.

Lois,

Here are the corrected forms. Sorry for the errors - all those boxes can get overwhelming for a rookie like me. Thanks for spotting them!

Bethany

----- Original Message -----

From: <Betka.Lois@epamail.epa.gov>

To: "Bethany Dentler" <bdentler@norwalknedc.com>

Sent: Thursday, August 17, 2006 5:23 PM

Subject: Correction page needed Standard Form 424A

> Hi Bethany,
>
> Sorry I forgot to mention this in my earlier email. There's an error on
> Section B, line 6.e. Supplies on the SF424A and on page 1 of the
> Detailed Itemized Budget in Norwalk's 7/13/06 application.
>
> The amount for supplies should be \$9,900 as shown on the Budget by Task
> table on page 8 of the workplan and on page 2 of the Budget Detail
> Report.
>
> Please email me a corrected SF424A and a corrected Detailed Itemized
> Budget page 1for the workplan.
>
> Thanks, Lois
>
>
>



DETAILED ITEMIZED BUDGET-Corrected.doc SF424A-Corrected.doc

DETAILED ITEMIZED BUDGET
for Cooperative Agreement
City of Norwalk, Ohio
USEPA Brownfields Program: Petroleum Substances

Budget Summary	
Budget Category	Total
Personnel	\$0
Non-Personnel	
Travel	\$3,100
Supplies	\$9,900
Consultants and Contract Services	\$187,000
Total	\$200,000

Budget Detail Report	
Detail Budget Category: Travel	Total
Local mileage for Project Director (225 miles/yr for 3 yrs @ \$0.445/mile)	\$300
Local mileage for project assistants (225 miles/yr for 3 yrs @ \$0.445/mile)	\$300
Travel expenses for 1 official to attend EPA Grant Administration workshop in Chicago (airfare @ \$187; local transport @ \$69; hotel @ \$149; 2 days per diem @ \$30/day)	\$455
Travel expenses for 2 officials to attend Brownfields 2006 conference in Boston (airfare @ \$500; local transport @ \$135; hotel @ \$1,170; 4 days per diem each @ \$30/day)	\$2,045
Subtotal	\$3,100
Detail Budget Category: Supplies	
Legal notices (6 @ \$50 each)	\$300
50 reams copy paper (20 reams standard paper @ \$4/rm; 20 reams inkjet paper @ \$6.50/rm; 10 reams 11x17 @ \$12/rm)	\$330
6 toner/inkjet refills @ average of \$70 each	\$420
Digital camera	\$500
11 x 17 deskjet color printer	\$600
Color laser printer	\$2,000
Laptop computer @ \$1,250 with Microsoft software @ \$420, Photoshop software @ \$650	\$2,350
Projector	\$2,200
GIS software (ArcView)	\$1,200
Subtotal	\$9,900
Detail Budget Category: Consultants & Contract Services	
Consulting services: Phase I ESAs (6-8 @ \$4,200 each; assume 6)	\$25,200
Consulting services: Phase II ESAs (3-5 @ \$34,500 each; assume 4)	\$138,000
Consulting services: Cleanup plans (3-5 @ \$5,950 each; assume 4)	\$23,800
Subtotal	\$187,000
TOTAL	\$200,000

Budget Detail Explanation	
Budget Item	Budget Description
Personnel	No funds for personnel are being requested with this grant. Staff salaries, equipment and many supplies will be paid for with existing City funds. The City of Norwalk is also leveraging \$10,000 of in-kind services from the Norwalk Economic Development Corporation, which will help coordinate and oversee the process.
Travel	The travel budget accounts for the costs associated with regional and national conference and training attendance in brownfield redevelopment and economic development for one or more staff representatives involved with the assessment project during the three years of the grant funding cycle. Any funds unused will be available for amendment to other budget line items.
Supplies	This line item addresses the costs of the process, including publication of a public notice of the Request for Proposal in the local newspaper for two days, RFQ postage and processing the contract. It also includes a color laser printer (\$2,000), a laptop with GIS and graphic software (\$3,550), a projector (\$2,200), a digital camera (\$500) and an 11x17 deskjet color printer (\$600) which will be used for the site inventory and community involvement tasks. These consumable supplies will be used to document the progress of individual sites and facilitate community involvement efforts.
Contractual	Consultant(s) selected through the RFQ/P process will complete a Petroleum Underground Storage Tank (UST) inventory of the City and complete six to eight Phase I ESAs at an average cost of \$4,200 each. The consultant will also complete three to five BUSTR Site Assessments/Phase II ESAs at an average cost of \$34,500. The budget also addresses the preparation of three to five "Remedial Action Plans," at an average cost of \$5,950, based upon the size of the properties involved, the nature and extent of contamination present at the properties, and the type of the cleanup plan required. For each type of report, the actual final number depends on the size of the properties being assessed and the extent and nature of the petroleum contamination present.

BUDGET INFORMATION - Non-Construction Programs**SECTION A - BUDGET SUMMARY**

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. Brownfields Assessment	66-818	\$	\$	\$200,000	\$	\$200,000
2.						0.00
3.						0.00
4.						0.00
5. Totals		\$ 0.00	\$ 0.00	\$200,000	\$ 0.00	\$200,000

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1) Brownfields Assessment	(2)	(3)	(4)	
a. Personnel	\$0				\$0
b. Fringe Benefits	\$0				\$0
c. Travel	\$3,100				\$3,100
d. Equipment	\$0				\$0
e. Supplies	\$9,900				\$9,900
f. Contractual	\$187,000				\$187,000
g. Construction	\$0				\$0
h. Other	\$0				\$0
i. Total Direct Charges (sum of 6a-6h)	\$200,000	0.00	0.00	0.00	\$200,000
j. Indirect Charges	\$0				\$0
k. TOTALS (sum of 6i and 6j)	\$200,000	\$ 0.00	\$ 0.00	\$ 0.00	\$200,000
7. Program Income	\$0	\$	\$	\$	\$0

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Standard Form 424A (Rev. 7-97)
Prescribed by OMB Circular A-102

SECTION C - NON-FEDERAL RESOURCES					
(a) Grant Program		(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS
8. Brownfields Assessment (In-kind contribution from Norwalk Economic Development Corp.)		\$0	\$0	\$10,000	\$10,000
9.					\$ 0.00
10.					\$ 0.00
11.					\$ 0.00
12. Total (SUM OF LINES 8-11)		\$0	\$0	\$10,000	\$10,000

SECTION D - FORECASTED CASH NEEDS					
13. Federal	Total for 1 st Year	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter
	\$38,200	\$13,000	\$0	\$25,200	\$0
14. Non-Federal	\$0	\$0	\$0	\$0	\$0
15. TOTAL (sum of lines 13 and 14)	\$38,200	\$13,000	\$0	\$25,200	\$0

SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT					
(a) Grant Program		FUTURE FUNDING PERIODS (years)			
		(b) First	(c) Second	(d) Third	(e) Fourth
16. Brownfields Assessment		\$138,000	\$23,800	\$	\$
17.					
18.					
19.					
20. TOTAL (sum of lines 16-19)		\$138,000	\$23,800	\$ 0.00	\$ 0.00

SECTION F - OTHER BUDGET INFORMATION	
21. Direct Charges: N/A	22. Indirect Charges: N/A
23. Remarks: See attached letter of explanation of in-kind contribution from Norwalk Economic Development Corporation (Ref. Section C, line 8)	

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Bethany Dentler
<bdentler@norwalknedc.com>

To

Subject Re: URGENT Need electronic version of Norwalk's approved workplan

08/28/2006 12:06 PM

Please respond to
Bethany Dentler
<bdentler@norwalknedc.com>

History: This message has been replied to.

Lois,

I'm so sorry for the delay in responding to you. I had started a 10-day vacation by the time you sent this request. In case you didn't receive what you needed from the mayor's office or Mike, I am sending you a copy of the final workplan approved by Mike.

Please let me know the status of the cooperative agreement draft that will be sent to the City for final signatures.

Bethany Dentler

----- Original Message -----

From: <Betka.Lois@epamail.epa.gov>

To: "Bethany Dentler" <bdentler@norwalknedc.com>

Sent: Thursday, August 17, 2006 4:15 PM

Subject: URGENT Need electronic version of Norwalk's approved workplan

> Hi Bethany,

>

> Mike Gifford is out until next Monday, so I couldn't ask him for this.

> I'm completing the funding recommendation for your brownfields petroleum

> assessment grant and need a copy of the workplan Mike has approved. We

> have a national grant database that generates award documents and we're

> required to load your workplan into it. Can you send me an electronic

> copy?

>

> Thanks, Lois

>

>

----- Original Message -----

From: <Gifford.Michael@epamail.epa.gov>

To: <bdentler@norwalknedc.com>

Sent: Wednesday, August 02, 2006 11:08 AM

Subject: Work Plan

> Bethany, I have made one minor change to the work plan. Within the
> Environmental Results language I sent you I have changed the Budget FY
> from "05" to "06." No need to do anything at your end other than note
> the change in your work plan. Thanks.

>

> Mike Gifford

> Brownfield Project Manager

> U.S. EPA Region 5

> 77 W. Jackson Blvd. SE-4J
> Chicago, IL 60604
> phone: 312-886-7257
> fax: 312-886-6741
>
>
>
>



EPA Petrol Grnt Workplan-Norwalk Final REV2.doc

**Workplan for Cooperative Agreement
City of Norwalk, Ohio
USEPA Brownfields Program: Petroleum Substances**

City of Norwalk, Ohio
38 Whittlesey Avenue
Norwalk, OH 44857

ASSESSMENT GRANTS:

This project supports Environmental Results Goal 4, Healthy Communities and Ecosystems, Objective: 4.2; Sub Objective: 4.2.3. Specifically, the recipient will inventory, characterize, assess, and conduct planning and community involvement activities to encourage revitalization and reuse of brownfields sites. Project Period is 3 years.

CFDA: 66.818

CERCLA Authority: 104(k)(2)&(3)

DCN: STX

Budget FY: 06

Appropriation: E4

Budget Org: 05F0AG7

Object Class: 4114

Program Results Code (PRC): Hazardous Sub 402D79 (Action Code: NY);
Petroleum 402D79EBP (Action Code: OP)

PROJECT CONTACT: Sue Lesch, Mayor
City of Norwalk
38 Whittlesey Avenue
Norwalk, OH 44857
Phone: 419-663-6700
Fax: 419-663-6788
E-mail: mayor@accnorwalk.com

PROJECT PERIOD: October 1, 2006 – September 30, 2009

INTRODUCTION:

The United States Environmental Protection Agency announced in May, 2006 that it has selected the City of Norwalk, Ohio for a Brownfields Assessment Grant. The grant will provide \$200,000 in funds for the assessment of sites throughout the City believed to be contaminated with petroleum. Initially, these funds will be used to develop a comprehensive inventory of potentially contaminated sites. Targets include residential and industrial areas most in need of clean, developable sites and greenspace, according to the City's newly completed comprehensive plan which encourages redevelopment of brownfields sites and "walkability". The Assessment Grant

will then allow the City to complete Phase 1 and Phase 2 Environmental Assessments on the highest priority sites with the most redevelopment potential. Remedial action plans will be developed to allow for the safe and viable reuse of the properties.

PROJECT & TASK OVERVIEW:

The tasks for the \$200,000 petroleum grant are summarized as follows:

1. Create an Inventory of Petroleum-Contaminated Brownfields Sites
2. Hire Consultant to Conduct Assessments
3. Conduct Phase I Environmental Site Assessments
4. Conduct Phase II Environmental Site Assessments
5. Develop Remedial Action Plans
6. Community Involvement
7. Eligible Programmatic Activities

MANAGEMENT & ADMINISTRATION:

The duties of the project manager responsible for eligible programmatic activities will be overseen by the Mayor of the City of Norwalk, Sue Lesch. Quarterly reports, financial reports, progress of the work plan and the final summary report will be forwarded to the EPA from the project manager. The project manager will also be responsible for coordinating the selection of environmental consultants to perform the environmental assessments through a federally-compliant and locally approved Request for Qualifications (RFQ) process, as well as coordinating the grant work with the selected environmental consultants.

The project manager will convene the Brownfields Task Force, oversee initial property inventory and handle site access issues. She will also coordinate outreach to the community and stakeholders and communicate progress on a regular basis through a variety of means.

DETAILED TASK DESCRIPTION:

The schedules presented in the task tables that follow assumes that the cooperative agreement with the US EPA will be completed and approved by October 1, 2006.

Task 1: Create an Inventory of Petroleum-Contaminated Brownfields Sites

As part of the grant funding, the City of Norwalk will conduct a site identification process to create a community-wide inventory of petroleum-contaminated sites that will help prioritize the City's redevelopment efforts. Activities in this task will include organizing community meetings to discuss potential sites, collection of property-specific information, establishment and management of an inventory database, and creation of site inventory maps and tables.

Prioritization criteria include the following:

- Public involvement (knowledge of new sites)
- Extent of known and suspected environmental issues
- Potential eligibility issues with Ohio BUSTR, EPA and Ohio Department of Development Clean Ohio Program
- Presence and availability of existing infrastructure, such as utilities, and transportation
- Potential for an end user to redevelop and known developer interest
- Existing and potential value of the property to the community
- Potential tax base generation
- Eligibility for assessment
- Bona fide prospective purchaser eligibility
- A known end-user
- Proximity to a receptor
- Extent of known or suspected contamination.

Once this process is completed, our assessment plan will concentrate on those sites that are eligible for funding, as determined by EPA approval, and where the property owner is willing to enter into access agreements with the City.

Task 1: Inventory		
<i>Activities</i>	<i>Deliverables</i>	<i>To Be Completed by:</i>
Create format for inventory	Inventory document	December 31, 2006
Collect and evaluate data	Inventory document	March 1, 2007
Prioritize properties, with input from community and stakeholders	Update inventory document	May 1, 2007
Report results to EPA, shared with City departments, stakeholders and public	Report to EPA Update City web site	July 1, 2007

Task 2: Hire Consultant to Conduct Assessments

The objective of this task is to publish a Request for Qualifications and/or Proposals to allow the City of Norwalk to contract with one or more consultants to plan for and provide environmental services (such as conducting Phase I and Phase II Environmental Site Assessments and cleanup planning/Remedial Action Plans).

Task 2: Hire Consultant		
<i>Activities</i>	<i>Deliverables</i>	<i>To Be Completed by:</i>
Prepare RFQ/P to solicit and retain consultant(s) for environmental services	Development of RFQ/P format	October 31, 2006
Draft proposed contracts and prepare agenda item for City Council consideration	Signed contracts with consultants	December 22, 2006
Prepare first quarterly EPA report	Report on procurement procedure and selection of consultant(s)	January 31, 2007

Task 3: Conduct Phase I Environmental Site Assessments

This task addresses the completion of a Petroleum Underground Storage Tank (UST) inventory of the City and six to eight Phase I Environmental Site Assessments (ESAs) at sites known or suspected of petroleum contamination. Factors that may affect prioritization include market demand, ability to gain access and community interest in the sites. Once sites are determined to be eligible, site owners will be contacted and access agreements obtained prior to beginning the Phase I ESAs. At the completion of each Phase I, a Property Profile form will be completed and submitted to EPA with the quarterly report for the reporting period in which the Phase I was conducted.

Task 3: Phase I ESAs		
<i>Activities</i>	<i>Deliverables</i>	<i>To Be Completed by:</i>
Identify initial sites where Phase I ESAs will be conducted and obtain formal site determinations from Ohio's BUSTR program	Summary in first quarterly report	December 22, 2006
Obtain access agreements	Signed access agreements	January 31, 2006
Conduct Phase I ESAs	Start date identified in quarterly report	Ongoing
Final Phase I Reports	Phase I Reports	Ongoing
Complete Property Profile Form	Property Profile Form	Ongoing

Task 4: Conduct Phase II Environmental Site Assessments

This task addresses the completion of three to five BUSTR Site Assessments/Phase II Environmental Site Assessments. The actual number depends on the size of the properties

being assessed and the extent and nature of the petroleum contamination present. The City will require the assessments to be conducted in accordance with the guidelines maintained by the State of Ohio's BUSTR bureau.

The consultant that will conduct work under this grant will prepare a Quality Assurance Program Plan (QAPP) for review and approval by EPA Region 5 staff prior to field investigation. Prior to the beginning of any Phase II ESA work, a Field Sampling and Analysis Plan (SAP) will be prepared by the consultant for approval by the EPA. Property Profile Forms will be completed/updated, as appropriate, to reflect Phase II activities and other relevant information.

Task 4: Phase II ESAs		
<i>Activities</i>	<i>Deliverables</i>	<i>To Be Completed by:</i>
Organize a pre-QAPP conference call between EPA and consultant(s)	Understanding of QAPP requirements	January 15, 2007
Consultant(s) to prepare draft QAPP for EPA review	Draft QAPP	January 31, 2007
Consultant(s) to submit final QAPP, incorporating revisions required by EPA	Final QAPP	March 31, 2007
Submit field work and SAP to EPA for site approval	SAP	Throughout grant cycle
Conduct Phase II field work	None	Throughout grant cycle
Phase II Reports	Phase II ESA Reports	Ongoing
Complete/Update Property Profile Form, as appropriate	Updated Property Profile Form	Ongoing

Task 5: Develop Cleanup Plans

This task addresses the preparation of three to five cleanup plans (i.e., "Remedial Action Plans"), based upon the size of the properties involved, the nature and extent of contamination present at the properties, and the type of the cleanup plan required. The consultant will prepare the Remedial Action Plans in accordance with the guidelines maintained by the State of Ohio's BUSTR bureau. Remedial Action Plans will identify cleanup options and budgetary constraints, which can be incorporated into proformas for redevelopment. Funds will also be used for performing risk assessments.

Task 5: Cleanup Plans		
<i>Activities</i>	<i>Deliverables</i>	<i>To Be Completed by:</i>
Prepare draft remediation plans	Draft report	Ongoing
Finalize remediation plans	Final report	Ongoing

Task 6: Community Involvement

The City will solicit community involvement throughout the eligible programmatic activities process, especially during the Petroleum Site Inventory process through public meetings and public announcements. Through the Brownfields Task Force, Norwalk would commit itself to hosting regular public meetings to request involvement on site selections and inform our citizens as to the progress of the assessment projects. In addition to the initial inventory and prioritization meetings to solicit public input, meetings will be held after major milestones (i.e., after inventory and priority is determined, after Phase I ESAs are completed, after Phase II ESAs are completed and after cleanup plans are developed).

After the Phase I and II ESA work is completed, it will be necessary to send out information regarding the findings to surrounding property owners. A neighborhood meeting would then be held to further explain the results and to gather ideas on how neighbors would like to see the site redeveloped. If cleanup is needed, the City will explain to residents and interested developers what will be done to remedy the situation, including the importance of following Voluntary Action Program guidelines. The project manager will also communicate to the public through regular updates at City Council meetings, which are covered thoroughly by several area newspapers. Press releases will be issued on a regular basis to report activities, and the City's web site will be updated with new information. Materials will be placed in the local library and notices posted in our public buildings. Regular meetings of the Brownfield Task Force will be publicized and open for public comment.

This task will also include education of local officials, who would attend one meeting at USEPA Region 5 Chicago and the National EPA Brownfields Conference. Previous attendance to the regional and state conferences has proven valuable for the City to learn about innovative approaches to brownfield redevelopment.

Task 6: Community Involvement		
<i>Activities</i>	<i>Deliverables</i>	<i>To Be Completed by:</i>
Brownfields Task Force public meetings	Meeting minutes (included with quarterly reports)	Throughout grant cycle
Progress meetings with affected neighborhoods	Meeting minutes (included with quarterly reports)	Throughout grant cycle
Update city web site with progress of project	Updated web site	Throughout grant cycle
Issue press releases on progress	Press releases	Throughout grant cycle
Attend brownfields conferences	None	July 19–20, 2006 (Region 5 Grant Administration Workshop, Chicago) and November 13–15, 2006 (Brownfields 2006, Boston)

Task 7: Eligible Programmatic Activities

The duties of the project manager responsible for eligible programmatic activities will be carried out by the Mayor of the City of Norwalk, Sue Lesch, with assistance from Bethany Dentler, the Economic Development Director with the Norwalk Economic Development Corporation, which is providing in-kind services to the City of Norwalk on this project. Quarterly reports, financial reports, progress of the work plan and the final summary report will be forwarded to the EPA from the project manager. The project manager will also be responsible for coordinating the selection of environmental consultants to perform the environmental assessments through a federally-compliant and locally approved Request for Qualifications (RFQ) process, as well as coordinating the grant work with the selected environmental consultants. The project manager will convene the Brownfields Task Force, oversee initial property inventory and handle site access issues. She will also coordinate outreach to the community and stakeholders and communicate progress on a regular basis through a variety of means.

Task 7: Eligible Programmatic Activities		
<i>Activities</i>	<i>Deliverables</i>	<i>To Be Completed by:</i>
Prepare quarterly reports	Quarterly reports	Within 30 days of the end of each quarter: April 30, July 31, October 21 and January 31
Prepare annual financial reports	Annual financial reports	January 31 of each year

PROJECT MANAGER PROFILE

Sue Lesch was elected as the Mayor of the City of Norwalk in November, 2002. During her administration, the City has been awarded an EPA brownfield grant in 2006 which brought \$200,000 to the City. She also submitted the Clean Ohio Assistance Fund application which was funded at \$256,000 by the State of Ohio in 2005 to conduct a Phase 2 Environmental Site Assessment on an abandoned foundry.

BUDGET

EPA SITE ASSESSMENT GRANT WORK PLAN BUDGET

\$200,000 Petroleum Budget

Project Tasks								
	TASK 1	TASK 2	TASK 3	TASK 4	TASK 5	TASK 6	TASK 7	
Budget Categories	Site Inventory	Hiring (RFQ/P)	Phase I ESAs	Phase II ESAs	Cleanup Plans	Community Involvement	Elig. Prog. Activities	Total
Personnel	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Travel	\$0	\$0	\$0	\$0	\$0	\$3,100	\$0	\$3,100
Equipment	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Supplies	\$1,900	\$1,000	\$0	\$0	\$0	\$7,000	\$0	\$9,900
Contractual	\$0	\$0	\$25,200	\$138,000	\$23,800	\$0	\$0	\$187,000
Construction	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Other	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
EPA Total	\$1,900	\$1,000	\$25,200	\$138,000	\$23,800	\$10,100	\$0	\$200,000

Budget Item	Budget Description
Personnel	No funds for personnel are being requested with this grant. Staff salaries, equipment and most supplies will be paid for with existing City funds. The City of Norwalk is also leveraging \$10,000 of in-kind services from the Norwalk Economic Development Corporation, which will help coordinate and oversee the process.
Travel	The travel budget accounts for the costs associated with regional and national conference and training attendance in brownfield redevelopment and economic development for one or more staff representatives involved with the assessment project during the three years of the grant funding cycle. Any funds unused will be available for amendment to other budget line items.
Equipment	There are no major equipment costs with this grant request.
Supplies	This line item addresses the costs of the process, including publication of a public notice of the Request for Proposal in the local newspaper for two days, RFQ postage and processing the contract. It also includes a color laser printer (\$2,000), a laptop with GIS and graphic software (\$3,550), a projector (\$2,200), a digital camera (\$500) and an 11x17 deskjet color printer (\$600) which will be used for the site inventory and community involvement tasks. These consumable supplies will be used to document the progress of individual sites and facilitate community involvement efforts.
Contractual	Consultant(s) selected through the RFQ/P process will complete a Petroleum Underground Storage Tank (UST) inventory of the City and complete six to eight Phase I ESAs at an average cost of \$4,200 each. The consultant will also complete three to five BUSTR Site Assessments/Phase II ESAs at an average cost of \$34,500. The budget also addresses the preparation of three to five "Remedial Action Plans," at an average cost of \$5,950, based upon the size of the properties involved, the nature and extent of contamination present at the properties, and the type of the cleanup plan required. For each type of report, the actual final number depends on the size of the properties being assessed and the extent and nature of the petroleum contamination present.
Construction	No construction projects will be funded from this grant.
Other	No other activities are requesting funds from this grant.



OFFICE OF THE MAYOR

Sue Lesch, Mayor
38 Whittlesey Avenue
Norwalk, Ohio 44857

Phone: 419/663-6700
Fax: 419/663-6788

E-Mail:
cityofnorwalk@accnorwalk.com

Online:
www.norwalkoh.com

July 17, 2006

Mike Gifford
Brownfield Project Manager
U.S. EPA Region 5
77 W. Jackson Blvd. SE-4J
Chicago, IL 60604

Dear Mr. Gifford:

This letter is to explain the legal and working relationship between the City of Norwalk and the Norwalk Economic Development Corporation (NEDC) and to designate Bethany Dentler, NEDC's Economic Development Director, as the contact for the Cooperative Agreement between the City of Norwalk and the US EPA for purposes of the Brownfields Assessment grant. (CFDA No. 66-818).

As you can see from the enclosed agreement, the City of Norwalk contributes financially to the Norwalk Economic Development Corporation, a private, non-profit 501 c(3) organization. The City has done so each year since 2003, when Ms. Dentler was hired to direct NEDC's economic development program.

Ms. Dentler's program activities are supervised by an Economic Development Advisory Board, which meets bi-monthly. Along with me, Norwalk's Finance Director (Diane Eschen) and a City Council member (Dwight Tkach) also sit on the Economic Development Advisory Board. See the attached organization chart for NEDC.

We rely on Ms. Dentler and NEDC to perform economic development activities on behalf of the City of Norwalk and at this time, those activities include brownfields projects, such as the administration of a Clean Ohio Assistance Fund grant. From the upcoming Cooperative Agreement with the EPA, NEDC will not be receiving any additional funds to assist with grant administration; rather, her time will be paid for out of the annual salary she already receives.

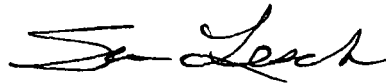
The City is well aware that the EPA's legal relationship for this grant contact will be between the City and the EPA, and that the City will be responsible for implementing the Cooperative Agreement and following its regulations, terms and conditions.



For purposes of carrying out the numerous administrative duties associated with the grant's eligible program activities, I would request that the EPA make note of the City's preference to list Bethany Dentler as the appropriate project manager contact for the Cooperative Agreement.

Thank you for your assistance in this matter. Please contact me at 419-663-6700 if I can provide any additional clarification. We look forward to working with the EPA in finalizing the Cooperative Agreement and beginning the brownfields assessment program.

Sincerely,

A handwritten signature in black ink, appearing to read "Sue Lesch". The signature is fluid and cursive, with the first name "Sue" and last name "Lesch" clearly distinguishable.

Sue Lesch, Mayor
City of Norwalk

SL/pb

Norwalk Economic Development Corporation

A 501 (c) 3 Non-Profit Organization

OFFICERS

President:	Stephen P. Zigo
First Vice President:	Jim Ramsey Sr.
Treasurer:	Robert Andrews
Secretary:	Deb Reed
Statutory Agent:	Harold Freeman

ADDITIONAL TRUSTEES

Charles Furey	Tom Olak
Patrick J. Martin	Donna Jenkins
Steve Trosley	Roger Endsley
Doug Berry	

Main Street Norwalk Program

Main Street Norwalk Advisory Board

OFFICERS

President:	Jim Marchyshyn
Vice President:	Jennie Hipp
Secretary:	Linda Sheppard

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Tim Kelly	Melissa James
Sue Lesch	Barb Czerwony
Bethany Dentler	Sheri Thomas
Stephen P. Zigo	Rick Mingus

Program Manager

Cheri Gersak

Economic Development Program

Economic Development Advisory Board

OFFICERS

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Vice President:	Charles Furey
Secretary:	Melissa James

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Diane Eschen	John Lendrum
Dean Keesling	Patrick J. Martin
Albert Tegel	Dwight Tkach
Jim Wiedenheft	Peg Whitehurst
Stephen P. Zigo	

Economic Development Director

Bethany Dentler

Administrative Assistant

Deb Bensinger

February 2006



The Maple City

OFFICE OF THE MAYOR

Sue Lesch, Mayor

38 Whittlesey Avenue
Norwalk, Ohio 44857

Phone: 419/663-6700
Fax: 419/663-6788

E-Mail:
cityofnorwalk@accnorwalk.com

Online:
www.norwalkoh.com

July 14, 2006

Sharon Green, Chief
Assistance Section
EPA Region 5, Mail Code 10J
77 W. Jackson Blvd.
Chicago, IL 60604

Dear Ms. Green:

The City of Norwalk was extremely pleased to become a recipient of a \$200,000 grant award from the EPA for the assessment of properties potentially contaminated with petroleum substances.

As requested by Mike Gifford, our project manager, I am sending the enclosed Application for Federal Assistance forms and workplan for the Cooperative Agreement. Mr. Gifford has reviewed the workplan with Bethany Dentler, Norwalk's economic development director who assists the City on our brownfields projects. Ms. Dentler will be attending the grants administration workshop in Chicago on July 19 and 20 on behalf of the City.

We look forward to completing the Cooperative Agreement process and working with the EPA on program activities for this community-wide brownfields assessment grant.

Sincerely,

Susan Smith Lesch, Mayor
City of Norwalk



APPLICATION FOR FEDERAL ASSISTANCE

Version 7/03

1. TYPE OF SUBMISSION: Application		2. DATE SUBMITTED July 15, 2006		Applicant Identifier	
<input type="checkbox"/> Construction		<input type="checkbox"/> Construction		3. DATE RECEIVED BY STATE	
<input checked="" type="checkbox"/> Non-Construction		<input type="checkbox"/> Non-Construction		4. DATE RECEIVED BY FEDERAL AGENCY	
5. APPLICANT INFORMATION					
Legal Name: City of Norwalk			Organizational Unit: Department: Office of the Mayor		
Organizational DUNS: 945348753			Division:		
Address: Street: 38 Whittlesey Avenue			Name and telephone number of person to be contacted on matters involving this application (give area code)		
City: Norwalk			Prefix: Ms.		First Name: Susan
County: Huron			Middle Name Smith		
State: OH			Last Name Lesch		
Zip Code 44857			Suffix:		
Country: USA			Email: mayor@accnorwalk.com		
6. EMPLOYER IDENTIFICATION NUMBER (EIN): 34-6400994			Phone Number (give area code) 419-663-6700		Fax Number (give area code) 419-663-6788
8. TYPE OF APPLICATION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) Other (specify)			7. TYPE OF APPLICANT: (See back of form for Application Types) Municipal Other (specify)		
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: TITLE (Name of Program): Brownfields Assessment 66-818			9. NAME OF FEDERAL AGENCY: US Environmental Protection Agency		
12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.): City of Norwalk, Ohio			11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: Brownfields Assessment - Petroleum Contaminated Properties in the City of Norwalk		
13. PROPOSED PROJECT Start Date: October 1, 2006 Ending Date: September 30, 2009			14. CONGRESSIONAL DISTRICTS OF: a. Applicant Ohio 5th b. Project Ohio 5th		
15. ESTIMATED FUNDING:			16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?		
a. Federal US EPA Grant	\$	200,000	a. Yes. <input type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON		
b. Applicant	\$		DATE:		
c. State	\$		b. No. <input checked="" type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372		
d. Local	\$		<input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW		
e. Other	\$		17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?		
f. Program Income	\$		<input type="checkbox"/> Yes If "Yes" attach an explanation. <input checked="" type="checkbox"/> No		
g. TOTAL	\$	200,000			
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.					
a. Authorized Representative					
Prefix Ms.		First Name Susan		Middle Name Smith	
Last Name Lesch				Suffix	
b. Title Mayor, City of Norwalk				c. Telephone Number (give area code) 419-663-6700	
d. Signature of Authorized Representative				e. Date Signed 7/13/06	

BUDGET INFORMATION - Non-Construction Programs**SECTION A - BUDGET SUMMARY**

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. Brownfields Assessment	66-818	\$	\$	\$200,000	\$	\$200,000
2.						0.00
3.						0.00
4.						0.00
5. Totals		\$ 0.00	\$ 0.00	\$200,000	\$ 0.00	\$200,000

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1) Brownfields Assessment	(2)	(3)	(4)	
a. Personnel	\$0				\$0
b. Fringe Benefits	\$0				\$0
c. Travel	\$3,100				\$3,100
d. Equipment	\$0				\$0
e. Supplies	\$13,000				\$13,000
f. Contractual	\$187,000				\$187,000
g. Construction	\$0				\$0
h. Other	\$0				\$0
i. Total Direct Charges (sum of 6a-6h)	\$200,000	0.00	0.00	0.00	\$200,000
j. Indirect Charges	\$0				\$0
k. TOTALS (sum of 6i and 6j)	\$200,000	\$ 0.00	\$ 0.00	\$ 0.00	\$200,000
7. Program Income	\$0	\$	\$	\$	\$0

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Standard Form 424A (Rev. 7-97)
Prescribed by OMB Circular A-102

SECTION C - NON-FEDERAL RESOURCES				
(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS
8. Brownfields Assessment (In-kind contribution from Norwalk Economic Development Corp.)	\$0	\$0	\$10,000	\$10,000
9.				\$ 0.00
10.				\$ 0.00
11.				\$ 0.00
12. Total (SUM OF LINES 8-11)	\$0	\$0	\$10,000	\$10,000

SECTION D - FORECASTED CASH NEEDS					
13. Federal	Total for 1 st Year	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter
	\$38,200	\$13,000	\$0	\$25,200	\$0
14. Non-Federal	\$0	\$0	\$0	\$0	\$0
15. TOTAL (sum of lines 13 and 14)	\$38,200	\$13,000	\$0	\$25,200	\$0

SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT				
(a) Grant Program	FUTURE FUNDING PERIODS (years)			
	(b) First	(c) Second	(d) Third	(e) Fourth
16. Brownfields Assessment	\$138,000	\$23,800	\$	\$
17.				
18.				
19.				
20. TOTAL (sum of lines 16-19)	\$138,000	\$23,800	\$ 0.00	\$ 0.00

SECTION F - OTHER BUDGET INFORMATION	
21. Direct Charges: N/A	22. Indirect Charges: N/A
23. Remarks: See attached letter of explanation of in-kind contribution from Norwalk Economic Development Corporation (Ref. Section C, line 8)	

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Norwalk Economic
Development Corporation
101 1/2 West Main Street
Norwalk, Ohio 44857
v 419.668.9858
f 419.668.2112
www.norwalknedc.com



Norwalk

Where tradition and innovation meet.

July 14, 2006

Sharon Green, Chief
Assistance Section
EPA Region 5, Mail Code 10J
77 W. Jackson Blvd.
Chicago, IL 60604

Dear Ms. Green:

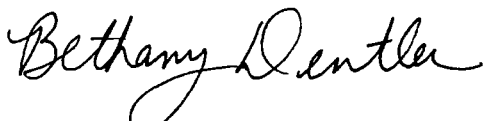
As the economic development agency for the Norwalk area, the Norwalk Economic Development Corporation (NEDC) has been an active community partner with the City of Norwalk on brownfields projects since 2003, when the current economic development director was hired.

With regards to the City's recent \$200,000 grant award from the EPA for the assessment of properties potentially contaminated with petroleum substances, NEDC has agreed again to partner with the City with activities carried out under the grant program. NEDC pledges its support in the form of in-kind staff hours to be spent on organizing the Norwalk Brownfields Task Force, overseeing brownfields site inventory, handling public outreach and managing the reporting process. At a rate of 95 hours/year for 3 years at \$35/hour, the estimated total value of these services is \$10,000.

Given our economic development mission, NEDC believes that brownfields site re-development is an essential factor in job creation and retention for Norwalk, a city with strong industrial roots that is trying to reposition itself to be competitive in a new global economy.

We look forward to working with the City of Norwalk and the EPA on program activities for this community-wide brownfields assessment grant.

Sincerely,



Bethany Dentler, CED
Economic Development Director

Economic Development Advisory Board

Officers

Jeff Huber, President
The Citizens Banking Company
Dennis Camp, Vice President
Payne, Hammersmith & Nickles
Melissa James, Secretary
*Norwalk Area
Chamber of Commerce*

Board Members

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*Norwalk Community
Development Corporation*
William Bader, Jr.
Norwalk Raceway Park

Diane Eschen
*City of Norwalk,
Director of Finance*

Charles Furey
National City Bank

Augie Ingoglia
PolyOne Corporation

Dean Keesling
*Firelands Federal
Credit Union*

Sue Lesch
City of Norwalk, Mayor

Patrick J. Martin, FACHE
Fisher-Titus Medical Center

Kenneth Schafer
Janotta & Herner, Inc.

Albert A. Tegel
National City Bank

Dwight Tkach
Norwalk City Council

Peg Whitehurst
Norwalk Furniture Corporation

James C. Wiedenheft
Huron County Development Council

Stephen P. Zigo
Stephen P. Zigo AIA

Bethany Dentler, CED
*Economic Development
Director*

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

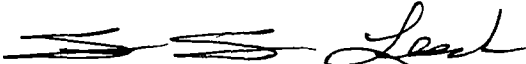
1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation

Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.



9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 	TITLE Mayor, City of Norwalk	
APPLICANT ORGANIZATION City of Norwalk, Ohio		DATE SUBMITTED July 13, 2006

CERTIFICATION REGARDING LOBBYING

**CERTIFICATION FOR CONTRACTS, GRANTS,
LOANS, AND COOPERATIVE AGREEMENTS**

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-contracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31 U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Susan Smith Lesch, Mayor, City of Norwalk

Typed Name & Title of Authorized Representative

Signature of Authorized Representative

Date

 2/13/06



Washington, DC 20460
Preaward Compliance Review Report for
All Applicants Requesting Federal Financial Assistance

FORM Approved
OMB No. 2090-0014
Expires: 4-30-99

Note: Read Instructions before completing form.

I. A. Applicant (Name, City, State) City of Norwalk 38 Whittlesey Avenue Norwalk, OH 44857	B. Recipient (Name, City, State) City of Norwalk 38 Whittlesey Avenue Norwalk, OH 44857	C. EPA Project No.
---	--	--------------------

II. Brief description of proposed project, program or activity.

Brownfields Assessment – Petroleum Contaminated Property in the City of Norwalk

III. Are any civil rights lawsuits or complaints pending against applicant and/or recipient? If yes, list those complaints and the disposition of each complaint.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
---	--

IV. Have any civil rights compliance reviews of the applicant and/or recipient been conducted by any Federal agency during the two years prior to this application for activities which would receive EPA assistance? If yes, list those compliance reviews and status of each review.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
--	--

V. Is any other Federal financial assistance being applied for or is any other Federal financial assistance being applied to any portion of this project program or activity? If yes, list the other Federal Agency(s), described the associated work and the dollar amount of assistance.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
--	--

VI. If entire community under the applicant's jurisdiction is not served under the existing facilities/services, or will not be served under the proposed plan, give reasons why.

This project will apply to the entire community under the City's jurisdiction.

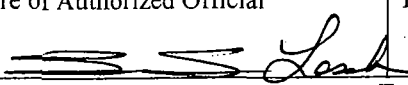
VII.	Population Characteristics	Number of People
1.	A. Population of Entire Service Area	16,238
	B. Minority Population of Entire Service Area	719
2.	A. Population Currently Being Served	16,238
	B. Minority Population Currently Being Served.	719
3.	A. Population to be Served by Project, Program or Activity	16,238
	B. Minority Population to be Served by Project, Program or Activity	719
4.	A. Population to Remain Without Service	0
	B. Minority Population to Remain With Service	0

VIII. Will all new facilities or alterations to existing facilities financed by these funds be designed and constructed to be readily accessible to and usable by handicapped person? If no, explain how a regulatory exception (40 CFR 7.70) applies. 40 CFR 7.70 does not apply to projects funded under this non-construction program.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
--	--

IX. Give the schedule for future projects, programs or activities (or of future plans), by which services will be provided to all beneficiaries within applicant's jurisdiction. If there is no schedule, explain why.

Oct 1, 2006 - Sept 30, 2009: Brownfields assessment of petroleum-contaminated properties throughout Norwalk
Ongoing after Sept 30, 2009: Redevelopment of brownfields properties

X. I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

A. Signature of Authorized Official 	B. Title of Authorized Official Mayor, City of Norwalk	C. Date 7/14/05
--	---	--------------------

For the U.S. Environmental Protection Agency		
<input type="checkbox"/> Approved	Authorized EPA Official	Date
<input type="checkbox"/> Disapproved		

**Workplan for Cooperative Agreement
City of Norwalk, Ohio
USEPA Brownfields Program: Petroleum Substances**

City of Norwalk, Ohio
38 Whittlesey Avenue
Norwalk, OH 44857

PROJECT CONTACT: Sue Lesch, Mayor
City of Norwalk
38 Whittlesey Avenue
Norwalk, OH 44857
Phone: 419-663-6700
Fax: 419-663-6788
E-mail: mayor@accnorwalk.com

PROJECT PERIOD: October 1, 2006 – September 30, 2009

INTRODUCTION:

The United States Environmental Protection Agency announced in May, 2006 that it has selected the City of Norwalk, Ohio for a Brownfields Assessment Grant. The grant will provide \$200,000 in funds for the assessment of sites throughout the City believed to be contaminated with petroleum. Initially, these funds will be used to develop a comprehensive inventory of potentially contaminated sites. Targets include residential and industrial areas most in need of clean, developable sites and greenspace, according to the City's newly completed comprehensive plan which encourages redevelopment of brownfields sites and "walkability". The Assessment Grant will then allow the City to complete Phase 1 and Phase 2 Environmental Assessments on the highest priority sites with the most redevelopment potential. Remedial action plans will be developed to allow for the safe and viable reuse of the properties.

PROJECT & TASK OVERVIEW:

The tasks for the \$200,000 petroleum grant are summarized as follows:

1. Create an Inventory of Petroleum-Contaminated Brownfields Sites
2. Hire Consultant to Conduct Assessments
3. Conduct Phase I Environmental Site Assessments
4. Conduct Phase II Environmental Site Assessments
5. Develop Remedial Action Plans
6. Community Involvement
7. Eligible Programmatic Activities

MANAGEMENT & ADMINISTRATION:

The duties of the project manager responsible for eligible programmatic activities will be overseen by the Mayor of the City of Norwalk, Sue Lesch. Quarterly reports, financial reports, progress of the work plan and the final summary report will be forwarded to the EPA from the project manager. The project manager will also be responsible for coordinating the selection of environmental consultants to perform the environmental assessments through a federally-compliant and locally approved Request for Qualifications (RFQ) process, as well as coordinating the grant work with the selected environmental consultants. The project manager will convene the Brownfields Task Force, oversee initial property inventory and handle site access issues. She will also coordinate outreach to the community and stakeholders and communicate progress on a regular basis through a variety of means.

DETAILED TASK DESCRIPTION:

The schedules presented in the task tables that follow assumes that the cooperative agreement with the US EPA will be completed and approved by October 1, 2006.

Task 1: Create an Inventory of Petroleum-Contaminated Brownfields Sites

As part of the grant funding, the City of Norwalk will conduct a site identification process to create a community-wide inventory of petroleum-contaminated sites that will help prioritize the City's redevelopment efforts. Activities in this task will include organizing community meetings to discuss potential sites, collection of property-specific information, establishment and management of an inventory database, and creation of site inventory maps and tables.

Prioritization criteria include the following:

- Public involvement (knowledge of new sites)
- Extent of known and suspected environmental issues
- Potential eligibility issues with Ohio BUSTR, EPA and Ohio Department of Development Clean Ohio Program
- Presence and availability of existing infrastructure, such as utilities, and transportation
- Potential for an end user to redevelop and known developer interest
- Existing and potential value of the property to the community
- Potential tax base generation
- Eligibility for assessment
- Bona fide prospective purchaser eligibility
- A known end-user
- Proximity to a receptor
- Extent of known or suspected contamination.

Once this process is completed, our assessment plan will concentrate on those sites that are eligible for funding, as determined by EPA approval, and where the property owner is willing to enter into access agreements with the City.

Task 1: Inventory		
<i>Activities</i>	<i>Deliverables</i>	<i>To Be Completed by:</i>
Create format for inventory	Inventory document	December 31, 2006
Collect and evaluate data	Inventory document	March 1, 2007
Prioritize properties, with input from community and stakeholders	Update inventory document	May 1, 2007
Report results to EPA, shared with City departments, stakeholders and public	Report to EPA Update City web site	July 1, 2007

Task 2: Hire Consultant to Conduct Assessments

The objective of this task is to publish a Request for Qualifications and/or Proposals to allow the City of Norwalk to contract with one or more consultants to plan for and provide environmental services (such as conducting Phase I and Phase II Environmental Site Assessments and cleanup planning/Remedial Action Plans).

Task 2: Hire Consultant		
<i>Activities</i>	<i>Deliverables</i>	<i>To Be Completed by:</i>
Prepare RFQ/P to solicit and retain consultant(s) for environmental services	Development of RFQ/P format	October 31, 2006
Draft proposed contracts and prepare agenda item for City Council consideration	Signed contracts with consultants	December 22, 2006
Prepare first quarterly EPA report	Report on procurement procedure and selection of consultant(s)	January 31, 2007

Task 3: Conduct Phase I Environmental Site Assessments

This task addresses the completion of a Petroleum Underground Storage Tank (UST) inventory of the City and six to eight Phase I Environmental Site Assessments (ESAs) at sites known or suspected of petroleum contamination. Factors that may affect prioritization include market demand, ability to gain access and community interest in the sites. Once sites are determined to be eligible, site owners will be contacted and access agreements obtained prior to beginning the Phase I ESAs.

Task 3: Phase I ESAs		
<i>Activities</i>	<i>Deliverables</i>	<i>To Be Completed by:</i>
Identify initial sites where Phase I ESAs will be conducted and obtain site determinations	Summary in first quarterly report	December 22, 2006
Obtain access agreements	Signed access agreements	January 31, 2006
Conduct Phase I ESAs	Start date identified in quarterly report	Ongoing
Final Phase I Reports	Phase I Reports	Ongoing

Task 4: Conduct Phase II Environmental Site Assessments

This task addresses the completion of three to five BUSTR Site Assessments/Phase II Environmental Site Assessments. The actual number depends on the size of the properties being assessed and the extent and nature of the petroleum contamination present. The City will require the assessments to be conducted in accordance with the guidelines maintained by the State of Ohio's BUSTR bureau.

The consultant that will conduct work under this grant will prepare a Quality Assurance Program Plan (QAPP) for review and approval by EPA Region 5 staff prior to field investigation. Prior to the beginning of any Phase II ESA work, a Field Sampling and Analysis Plan (SAP) will be prepared by the consultant for approval by the EPA.

Task 4: Phase II ESAs		
<i>Activities</i>	<i>Deliverables</i>	<i>To Be Completed by:</i>
Organize a pre-QAPP conference call between EPA and consultant(s)	Understanding of QAPP requirements	January 15, 2007
Consultant(s) to prepare draft QAPP for EPA review	Draft QAPP	January 31, 2007
Consultant(s) to submit final QAPP, incorporating revisions required by EPA	Final QAPP	March 31, 2007
Submit field work and SAP to EPA for site approval	SAP	Throughout grant cycle
Conduct Phase II field work	None	Throughout grant cycle
Phase II Reports	Phase II ESA Reports	Ongoing

Task 5: Develop Cleanup Plans

This task addresses the preparation of three to five cleanup plans (i.e., "Remedial Action Plans"), based upon the size of the properties involved, the nature and extent of contamination present at the properties, and the type of the cleanup plan required. The consultant will prepare the Remedial Action Plans in accordance with the guidelines maintained by the State of Ohio's BUSTR bureau. Remedial Action Plans will identify cleanup options and budgetary constraints, which can be incorporated into proformas for redevelopment. Funds will also be used for performing risk assessments.

Task 5: Cleanup Plans		
<i>Activities</i>	<i>Deliverables</i>	<i>To Be Completed by:</i>
Prepare draft remediation plans	Draft report	Ongoing
Finalize remediation plans	Final report	Ongoing

Task 6: Community Involvement

The City will solicit community involvement throughout the eligible programmatic activities process, especially during the Petroleum Site Inventory process through public meetings and public announcements. Through the Brownfields Task Force, Norwalk would commit itself to hosting regular public meetings to request involvement on site selections and inform our citizens as to the progress of the assessment projects. In addition to the initial inventory and prioritization meetings to solicit public input, meetings will be held after major milestones (i.e., after inventory and priority is determined, after Phase I ESAs are completed, after Phase II ESAs are completed and after cleanup plans are developed).

After the Phase I and II ESA work is completed, it will be necessary to send out information regarding the findings to surrounding property owners. A neighborhood meeting would then be held to further explain the results and to gather ideas on how neighbors would like to see the site redeveloped. If cleanup is needed, the City will explain to residents and interested developers what will be done to remedy the situation, including the importance of following Voluntary Action Program guidelines. The project manager will also communicate to the public through regular updates at City Council meetings, which are covered thoroughly by several area newspapers. Press releases will be issued on a regular basis to report activities, and the City's web site will be updated with new information. Materials will be placed in the local library and notices posted in our public buildings. Regular meetings of the Brownfield Task Force will be publicized and open for public comment.

This task will also include education of local officials, who would attend one meeting at USEPA Region 5 Chicago and the National EPA Brownfields Conference. Previous attendance to the regional and state conferences has proven valuable for the City to learn about innovative approaches to brownfield redevelopment.

Task 6: Community Involvement		
<i>Activities</i>	<i>Deliverables</i>	<i>To Be Completed by:</i>
Brownfields Task Force public meetings	Meeting minutes (included with quarterly reports)	Throughout grant cycle
Progress meetings with affected neighborhoods	Meeting minutes (included with quarterly reports)	Throughout grant cycle
Update city web site with progress of project	Updated web site	Throughout grant cycle
Issue press releases on progress	Press releases	Throughout grant cycle
Attend brownfields conferences	None	July 19–20, 2006 (Region 5 Grant Administration Workshop, Chicago) and November 13–15, 2006 (Brownfields 2006, Boston)

Task 7: Eligible Programmatic Activities

The duties of the project manager responsible for eligible programmatic activities will be carried out by the Mayor of the City of Norwalk, Sue Lesch, with assistance from Bethany Dentler, the Economic Development Director with the Norwalk Economic Development Corporation, which is providing in-kind services to the City of Norwalk on this project. Quarterly reports, financial reports, progress of the work plan and the final summary report will be forwarded to the EPA from the project manager. The project manager will also be responsible for coordinating the selection of environmental consultants to perform the environmental assessments through a federally-compliant and locally approved Request for Qualifications (RFQ) process, as well as coordinating the grant work with the selected environmental consultants. The project manager will convene the Brownfields Task Force, oversee initial property inventory and handle site access issues. She will also coordinate outreach to the community and stakeholders and communicate progress on a regular basis through a variety of means.

Task 7: Eligible Programmatic Activities		
<i>Activities</i>	<i>Deliverables</i>	<i>To Be Completed by:</i>
Prepare quarterly reports	Quarterly reports	Within 30 days of the end of each quarter: April 30, July 31, October 21 and January 31
Prepare annual financial reports	Annual financial reports	January 31 of each year

PROJECT MANAGER PROFILE

Sue Lesch was elected as the Mayor of the City of Norwalk in November, 2002. During her administration, the City has been awarded an EPA brownfield grant in 2006 which brought \$200,000 to the City. She also submitted the Clean Ohio Assistance Fund application which was funded at \$256,000 by the State of Ohio in 2005 to conduct a Phase 2 Environmental Site Assessment on an abandoned foundry.

BUDGET

EPA SITE ASSESSMENT GRANT WORK PLAN BUDGET

\$200,000 Petroleum Budget

Project Tasks								
	TASK 1	TASK 2	TASK 3	TASK 4	TASK 5	TASK 6	TASK 7	
Budget Categories	Site Inventory	Hiring (RFQ/P)	Phase I ESAs	Phase II ESAs	Cleanup Plans	Community Involvement	Elig. Prog. Activities	Total
Personnel	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Travel	\$0	\$0	\$0	\$0	\$0	\$3,100	\$0	\$3,100
Equipment	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Supplies	\$1,900	\$1,000	\$0	\$0	\$0	\$7,000	\$0	\$9,900
Contractual	\$0	\$0	\$25,200	\$138,000	\$23,800	\$0	\$0	\$187,000
Construction	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Other	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
EPA Total	\$1,900	\$1,000	\$25,200	\$138,000	\$23,800	\$10,100	\$0	\$200,000

Budget Item	Budget Description
Personnel	No funds for personnel are being requested with this grant. Staff salaries, equipment and most supplies will be paid for with existing City funds. The City of Norwalk is also leveraging \$10,000 of in-kind services from the Norwalk Economic Development Corporation, which will help coordinate and oversee the process.
Travel	The travel budget accounts for the costs associated with regional and national conference and training attendance in brownfield redevelopment and economic development for one or more staff representatives involved with the assessment project during the three years of the grant funding cycle. Any funds unused will be available for amendment to other budget line items.
Equipment	There are no major equipment costs with this grant request.
Supplies	This line item addresses the costs of the process, including publication of a public notice of the Request for Proposal in the local newspaper for two days, RFQ postage and processing the contract. It also includes a color laser printer (\$2,000), a laptop with GIS and graphic software (\$3,550), a projector (\$2,200), a digital camera (\$500) and an 11x17 deskjet color printer (\$600) which will be used for the site inventory and community involvement tasks. These consumable supplies will be used to document the progress of individual sites and facilitate community involvement efforts.
Contractual	Consultant(s) selected through the RFQ/P process will complete a Petroleum Underground Storage Tank (UST) inventory of the City and complete six to eight Phase I ESAs at an average cost of \$4,200 each. The consultant will also complete three to five BUSTR Site Assessments/Phase II ESAs at an average cost of \$34,500. The budget also addresses the preparation of three to five "Remedial Action Plans," at an average cost of \$5,950, based upon the size of the properties involved, the nature and extent of contamination present at the properties, and the type of the cleanup plan required. For each type of report, the actual final number depends on the size of the properties being assessed and the extent and nature of the petroleum contamination present.
Construction	No construction projects will be funded from this grant.
Other	No other activities are requesting funds from this grant.

DETAILED ITEMIZED BUDGET
for Cooperative Agreement
City of Norwalk, Ohio
USEPA Brownfields Program: Petroleum Substances

Budget Summary	
Budget Category	Total
Personnel	\$0
Non-Personnel	
Travel	\$3,100
Supplies	\$13,000
Consultants and Contract Services	\$187,000
Total	\$200,000

9,900

Budget Detail Report	
Detail Budget Category: Travel	Total
Local mileage for Project Director (225 miles/yr for 3 yrs @ \$0.445/mile)	\$300
Local mileage for project assistants (225 miles/yr for 3 yrs @ \$0.445/mile)	\$300
Travel expenses for 1 official to attend EPA Grant Administration workshop in Chicago (airfare @ \$187; local transport @ \$69; hotel @ \$149; 2 days per diem @ \$30/day)	\$455
Travel expenses for 2 officials to attend Brownfields 2006 conference in Boston (airfare @ \$500; local transport @ \$135; hotel @ \$1,170; 4 days per diem each @ \$30/day)	\$2,045
Subtotal	\$3,100
Detail Budget Category: Supplies	
Legal notices (6 @ \$50 each)	\$300
50 reams copy paper (20 reams standard paper @ \$4/rm; 20 reams inkjet paper @ \$6.50/rm; 10 reams 11x17 @ \$12/rm)	\$330
6 toner/inkjet refills @ average of \$70 each	\$420
Digital camera	\$500
11 x 17 deskjet color printer	\$600
Color laser printer	\$2,000
Laptop computer @ \$1,250 with Microsoft software @ \$420, Photoshop software @ \$650	\$2,350
Projector	\$2,200
GIS software (ArcView)	\$1,200
Subtotal	\$9,900
Detail Budget Category: Consultants & Contract Services	
Consulting services: Phase I ESAs (6-8 @ \$4,200 each; assume 6)	\$25,200
Consulting services: Phase II ESAs (3-5 @ \$34,500 each; assume 4)	\$138,000
Consulting services: Cleanup plans (3-5 @ \$5,950 each; assume 4)	\$23,800
Subtotal	\$187,000
TOTAL	\$200,000

Budget Detail Explanation	
Budget Item	Budget Description
Personnel	No funds for personnel are being requested with this grant. Staff salaries, equipment and many supplies will be paid for with existing City funds. The City of Norwalk is also leveraging \$10,000 of in-kind services from the Norwalk Economic Development Corporation, which will help coordinate and oversee the process.
Travel	The travel budget accounts for the costs associated with regional and national conference and training attendance in brownfield redevelopment and economic development for one or more staff representatives involved with the assessment project during the three years of the grant funding cycle. Any funds unused will be available for amendment to other budget line items.
Supplies	This line item addresses the costs of the process, including publication of a public notice of the Request for Proposal in the local newspaper for two days, RFQ postage and processing the contract. It also includes a color laser printer (\$2,000), a laptop with GIS and graphic software (\$3,550), a projector (\$2,200), a digital camera (\$500) and an 11x17 deskjet color printer (\$600) which will be used for the site inventory and community involvement tasks. These consumable supplies will be used to document the progress of individual sites and facilitate community involvement efforts.
Contractual	Consultant(s) selected through the RFQ/P process will complete a Petroleum Underground Storage Tank (UST) inventory of the City and complete six to eight Phase I ESAs at an average cost of \$4,200 each. The consultant will also complete three to five BUSTR Site Assessments/Phase II ESAs at an average cost of \$34,500. The budget also addresses the preparation of three to five "Remedial Action Plans," at an average cost of \$5,950, based upon the size of the properties involved, the nature and extent of contamination present at the properties, and the type of the cleanup plan required. For each type of report, the actual final number depends on the size of the properties being assessed and the extent and nature of the petroleum contamination present.



KEY CONTACTS FORM

Authorized Representative: *Original awards and amendments will be sent to this individual for review and acceptance, unless otherwise indicated.*

Name: Sue Lesch
 Title: Mayor, City of Norwalk
 Complete Address: 38 Whittlesey Avenue
 Norwalk, OH 44857
 Phone Number: 419-663-6700

Payee: *Individual authorized to accept payments.*

Name: Diane Eschen
 Title: Director of Finance, City of Norwalk
 Mail Address: 38 Whittlesey Avenue
 Norwalk, OH 44857
 Phone Number: 419-663-6710

Administrative Contact: *Individual from Sponsored Program Office to contact concerning administrative matters (i.e., indirect cost rate computation, rebudgeting requests etc.)*

Name: Sue Lesch
 Title: Mayor, City of Norwalk
 Mailing Address: 38 Whittlesey Avenue
 Norwalk, OH 44857
 Phone Number: 419-663-6700
 FAX Number: 419-663-6788
 E-Mail Address: mayor@accnorwalk.com

Principal Investigator: *Individual responsible for the technical completion of the proposed work.*

Investigators to be determined as result of upcoming RFQ/P process.

Name: _____
 Title: _____
 Mailing Address: _____
 Phone Number: _____
 FAX Number: _____
 E-Mail Address: _____
 Web URL: _____